



SPONSORS: Reps. Roy      Sens. Blevins  
                 Carey      Cook  
                 Lofink      McBride  
                 Oberle      Venables  
                 Plant      Bonini  
                 Schroeder      Hauge  
                 Scott  
                 Stone

HOUSE OF REPRESENTATIVES

139TH GENERAL ASSEMBLY

HOUSE BILL NO. 750

JUNE 30, 1998

A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 1999; DEAUTHORIZING STATE GUARANTEED BOND AUTHORIZATIONS; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; APPROPRIATING MONIES FROM THE TWENTY-FIRST CENTURY FUND; APPROPRIATING GENERAL FUNDS TO AN INFRASTRUCTURE INVESTMENT PLAN; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (three-fourths of all members elected to each house thereof concurring therein):

- 1      Section 1. Fiscal Year 1999 Capital Improvements Project Schedule Addendum. The General Assembly
- 2 hereby authorizes the following projects in the following amounts to be expended for the purposes set forth in this
- 3 Section and as described in the Fiscal Year 1999 Governor's Recommended Capital Budget and Project
- 4 Information document. Any authorization balance (excluding Transportation Trust Fund balances) remaining
- 5 unexpended or unencumbered by June 30, 2001, shall be subject to reversion or deauthorization.
- 6

SECTION 1 ADDENDUM  
FISCAL YEAR 1999 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	BUDGET UNIT	BOND AUTHOR- IZATIONS AND REAUTHOR- IZATION	DEAUTHOR- IZATION OF STATE GUAR- ANTEED BONDS	NON-TRANS. & REPRO- GRAMMING	STRIPPER WELL	TRANS. TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	21st CENTURY FUND	TOTAL
OFFICE OF THE BUDGET										
Transportation Trust Fund	10-02-01	\$0	\$0	\$0	\$0	\$0	\$0	\$7,000,000	\$0	\$7,000,000
Research and Education Center	10-02-01	0	0	0	0	0	0	95,000	0	95,000
800 MHz Statewide Backbone Radio System	10-02-01	1,533,000	0	0	0	0	0	0	0	1,533,000
800 MHz Statewide Portable/Mobile Radios	10-02-01	0	0	0	0	0	0	1,200,000	0	1,200,000
Law Enforcement/Year 2000 Technology Fund	10-02-01	0	0	0	0	0	0	17,000,000	0	17,000,000
Sussex Volunteer Fire Radios	10-02-01	0	0	0	0	0	0	1,462,300	0	1,462,300
Kent End-user equipment	10-02-01	0	0	0	0	0	0	55,000	0	55,000
Wilmington Fire Department Radios	10-02-01	0	0	0	0	0	0	250,000	0	250,000
Rehoboth 911 Center Equipment	10-02-01	0	0	0	0	0	0	40,000	0	40,000
Subtotal:		\$1,533,000	\$0	\$0	\$0	\$0	\$0	\$27,102,300	\$0	\$28,635,300
DELAWARE ECONOMIC DEVELOPMENT OFFICE										
Delaware Strategic Fund	10-03-03	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000,000	\$0	\$10,000,000
Main Channel Deepening	10-03-03	0	0	0	0	0	0	2,000,000	0	2,000,000
Dover Civic Center - Ice Arena	10-03-03	0	0	0	0	0	0	1,400,000	0	1,400,000
Frawley Stadium	10-03-03	0	0	0	0	0	0	750,000	0	750,000
Milford Industrial Park Land Purchase	10-03-03	0	0	0	0	0	0	1,648,000	0	1,648,000
Blades Marina	10-03-03	0	0	0	0	0	0	2,305,000	0	2,305,000
Job Corps Site	10-03-03	0	0	0	0	0	0	800,000	0	800,000
Sussex County Airport infrastructure	10-03-03	0	0	0	0	0	0	100,000	0	100,000
Subtotal:		\$0	\$0	\$0	\$0	\$0	\$0	\$19,003,000	\$0	\$19,003,000
OFFICE OF INFORMATION SERVICES										
Carvel State Office Building PBX	10-09-30	\$0	\$0	\$0	\$0	\$0	\$0	\$871,200		\$871,200
Subtotal:		\$0	\$0	\$0	\$0	\$0	\$0	\$871,200	\$0	\$871,200

SECTION 1 ADDENDUM  
FISCAL YEAR 1999 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	BUDGET UNIT	BOND AUTHOR- IZATIONS AND REAUTHOR- IZATION	DEAUTHOR- IZATION OF STATE GUAR- ANTEED BONDS	NON-TRANS. REVERSION & REPRO- GRAMMING	STRIPPER WELL	TRANS. TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	21st CENTURY FUND	TOTAL
STATE										
Georgetown Public Library	20-06-01	\$0	\$0	\$0	\$0	\$0	\$0	\$72,000	\$0	\$72,000
Library Construction from 40% to 50%	20-06-01	0	0	0	0	0	0	1,490,500	0	1,490,500
Rehoboth Public Library	20-06-01	0	0	0	0	0	0	200,000	0	200,000
Abbot's Mill - Painting/Repair	20-06-04	0	0	0	0	0	0	60,000	0	60,000
Sewell BiggsMuseum - Electrical Upgrade/MCI's	20-06-04	0	0	0	0	0	0	15,000	0	15,000
Subtotal:		\$0	\$0	\$0	\$0	\$0	\$0	\$1,837,500	\$0	\$1,837,500
ADMINISTRATIVE SERVICES										
Sussex County Courthouse Renovations	30-05-10	\$3,000,000 *	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,000,000
Energy Efficiency Program	30-05-10	0	0	0	200,000	0	0	0	0	200,000
Carvel Building Exterior Repairs	30-05-10	0	0	0	0	0	0	1,000,000	0	1,000,000
Government Center Plaza Deck Repairs	30-05-10	0	0	1,086,600	0	0	0	79,400	0	1,166,000
Carvel Building Flooring/Other Renovations	30-05-10	0	0	0	0	0	0	1,294,000	0	1,294,000
New Castle County Courthouse	30-05-10	34,337,000	868,000	195,000	0	0	0	0	0	35,400,000
Old JP Court 7/16 Renovations	30-05-10	0	0	0	0	0	0	1,445,600	0	1,445,600
MCI/Equipment Supplement - DAS	30-05-10	0	0	0	0	0	0	1,173,600	0	1,173,600
MCI/Equipment Supplement - Judicial	30-05-10	0	0	0	0	0	0	200,000	0	200,000
J. P. Court 5/6	30-05-10	0	0	0	0	0	0	205,000	0	205,000
Bridge House Demolition	30-05-10	0	0	0	0	0	0	92,000	0	92,000
Department of State Projects:										
Archives/Record Center Relocation	30-05-10	0	0	0	0	0	0	395,000	0	395,000
Sussex Veterans Cemetery	30-05-10	0	0	0	0	0	0	1,254,100	0	1,254,100
MCI/Equipment Supplement - State	30-05-10	0	0	0	0	0	0	1,000,000	0	1,000,000
Department of Health and Social Services Projects:										
Campus Renewal	30-05-10	0	0	0	0	0	0	350,000	0	350,000
Forensic Mental Health Fac.-Comegys Replacement	30-05-10	400,000	0	0	0	0	0	0	0	400,000
MCI /Equipment Supplement - DHSS	30-05-10	0	0	0	0	0	0	600,000	0	600,000

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FISCAL YEAR 1999 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

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<b>ADMINISTRATIVE SERVICES - Continued</b>										
MCI/Equipment Supplement - DSCYF	30-05-10	0	0	0	0	0	0	300,000	0	300,000
NCCo Detention Center 16 Bed Addition	30-05-10	0	0	0	0	0	0	370,000	0	370,000
Secure Care Construction Planning	30-05-10	0	0	0	0	0	0	500,000	0	500,000
Woods-Haven Kruse	30-05-10	0	0	0	0	0	0	400,000	0	400,000
<b>Department of Correction Projects:</b>										
Prison Construction Program	30-05-10	18,000,000	0	0	0	0	0	0	0	18,000,000
Violation of Probation Centers	30-05-10	15,000,000	0	0	0	0	0	0	0	15,000,000
BWCI Nursery planning	30-05-10	0	0	0	0	0	0	50,000	0	50,000
MCI/Equipment Supplement - Correction	30-05-10	0	0	0	0	0	0	2,500,000	0	2,500,000
<b>Department of Public Safety Projects:</b>										
North Campus Troop 2/DMV Construction	30-05-10	3,000,000	0	0	0	0	0	0	0	3,000,000
Georgetown DMV Facility Replacement Planning		0	0	0	0	0	0	366,700	0	366,700
MCI/Equipment Supplement - Public Safety	30-05-10	0	0	0	0	0	0	700,000	0	700,000
<b>Delaware National Guard Projects:</b>										
Smyrna Readiness Center Planning	30-05-10	0	0	0	0	0	0	248,000	0	248,000
MCI/Equipment Supplemental-DNG	30-05-10	0	0	0	0	0	0	500,000	0	500,000
<b>Education Projects:</b>										
Underground Storage Tanks	30-05-10	0	0	0	0	0	0	1,000,000	0	1,000,000
Subtotal:		\$73,737,000	\$868,000	\$1,281,600	\$200,000	\$0	\$0	\$16,023,400	\$0	\$92,110,000
<b>HEALTH AND SOCIAL SERVICES</b>										
Maintenance and Restoration	35-01-20	\$0	\$0	\$0	\$0	\$0	\$0	\$1,000,000	\$0	\$1,000,000
Subtotal:		\$0	\$0	\$0	\$0	\$0	\$0	\$1,000,000	\$0	\$1,000,000
<b>CORRECTION</b>										
Body Armor	38-01-01	\$0	\$0	\$0	\$0	\$0	\$0	\$719,000	\$0	\$719,000
Subtotal:		\$0	\$0	\$0	\$0	\$0	\$0	\$719,000	\$0	\$719,000

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NATURAL RESOURCES AND ENVIRONMENTAL CONTROL										
Wilmington Parks Rehab	40-01-01	\$0	\$0	\$0	\$0	\$0	\$0	\$300,000	\$0	\$300,000
Newport Boat Ramp	40-05-01	0	0	0	0	0	0	250,000	0	250,000
Park Rehabilitation	40-06-02	0	0	0	0	0	0	1,250,000	0	1,250,000
Indian River Inlet Marina	40-06-02	0	0	0	0	0	0	1,000,000	0	1,000,000
Delaware Seashore State Park wastewater	40-06-02	0	0	0	0	0	0	600,000	0	600,000
Underground Storage Tanks	40-06-02	0	0	0	0	0	0	800,000	0	800,000
Judge Morris Farmhouse Renovation	40-06-02	0	0	0	0	0	0	250,000	0	250,000
Holts Landing Crabbing Pier	40-06-02	0	0	0	0	0	0	210,000	0	210,000
Trap Pond - Upgrade/Renovations	40-06-02	0	0	0	0	0	0	200,000	0	200,000
Fox Point Park Fishing/Observation	40-06-02	0	0	0	0	0	0	100,000	0	100,000
Combined Sewer Overflow Remediation	40-07-01	0	0	0	0	0	0	1,000,000	0	1,000,000
Tax/Public Ditches	40-07-02	0	0	0	0	0	0	600,000	0	600,000
Beach Preservation	40-07-03	0	0	0	0	0	0	1,000,000	0	1,000,000
Conservation Cost Sharing Prog.	40-07-04	0	0	0	0	0	0	1,200,000	0	1,200,000
Healthways Cleanup/Property to Odessa/Demolition	40-09-01	0	0	0	0	0	0	300,000	0	300,000
Pier										
Subtotal:		\$0	\$0	\$0	\$0	\$0	\$0	\$9,060,000	\$0	\$9,060,000
PUBLIC SAFETY										
State Police Helicopter Replacement - Purchase	45-01-01	\$0	\$0	\$0	\$0	\$0	\$0	\$2,200,000	\$0	\$2,200,000
State Police Helicopter Replacement - Lease	45-01-01	0	0	0	0	0	0	460,000	0	460,000
Subtotal:		\$0	\$0	\$0	\$0	\$0	\$0	\$2,660,000	\$0	\$2,660,000

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<b>TRANSPORTATION</b>										
Program Development (74/00)	55-05-00	\$0	\$0	\$0	\$0	\$0	\$3,000,000	\$0	\$0	\$3,000,000
System Preservation (75/00)	55-05-00	0	0	0	0	0	57,970,000	0	0	57,970,000
System Management (76/00)	55-05-00	0	0	0	0	1,303,000	16,860,000	0	0	18,163,000
System Expansion (77/00)	55-05-00	0	0	0	0	0	16,351,000	0	0	16,351,000
Engineering and Contingencies (57/00)	55-05-00	0	0	0	0	0	13,600,000	0	0	13,600,000
Suburban Streets/Misc. Drainage (56/00)	55-05-00	0	0	0	0	1,550,000	18,550,000	0	0	20,100,000
Municipal Street Aid (71/00)	55-05-00	0	0	0	0	0	5,000,000	0	0	5,000,000
Subtotal:		\$0	\$0	\$0	\$0	\$2,853,000	\$131,331,000	\$0	\$0	\$134,184,000
<b>AGRICULTURE</b>										
Forest Service MCI/Equipment	65-01-01	\$0	\$0	\$0	\$0	\$0	\$0	\$129,000	\$0	\$129,000
Agriculture Compliance MCI/Equipment	65-01-01	0	0	0	0	0	0	59,500	0	59,500
Subtotal:		\$0	\$0	\$0	\$0	\$0	\$0	\$188,500	\$0	\$188,500
<b>FIRE PREVENTION COMMISSION</b>										
Hydraulic Rescue Tools (Christiana, Delaware City, Elsmere, Mill Creek, Townsend, Harrington, Hartly, Delmar, Ellendale, Georgetown, Seaford, Bridgeville Bethany Beach)	75-02-01	\$0	\$0	\$0	\$0	\$0	\$0	\$97,500	\$0	\$97,500
Hydraulic Rescue Tools (Fire School)	75-02-01	0	0	0	0	0	0	25,000	0	25,000
Infrared Cameras	75-02-01	0	0	0	0	0	0	135,000	0	135,000
NCC Fire Marshal Office	75-03-01	0	0	0	0	0	0	300,000	0	300,000
Classroom Furniture	75-02-01	0	0	0	0	0	0	50,000	0	50,000
Subtotal:		\$0	\$0	\$0	\$0	\$0	\$0	\$607,500	\$0	\$607,500

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<b>UNIVERSITY OF DELAWARE</b>										
Renovate/Addition Memorial Hall	90-01-01	\$0	\$0	\$0	\$0	\$0	\$0	\$3,500,000	\$0	\$3,500,000
Renovate Townsend Hall	90-01-01	0	0	0	0	0	0	3,500,000	0	3,500,000
MCI/Equipment Supplement	90-01-01	0	0	0	0	0	0	1,000,000	0	1,000,000
Subtotal:		\$0	\$0	\$0	\$0	\$0	\$0	\$8,000,000	\$0	\$8,000,000
<b>DELAWARE STATE UNIVERSITY</b>										
MCI/Equipment	90-03-01	\$0	\$0	\$0	\$0	\$0	\$0	\$3,390,000	\$0	\$3,390,000
Economic/Business Administration Bldg.	90-03-01	956,700	0	0	0	0	0	0	0	956,700
Administration Building	90-03-01	2,653,300	0	0	0	0	0	0	0	2,653,300
MCI/Equipment Supplement	90-03-01	0	0	0	0	0	0	1,000,000	0	1,000,000
Subtotal:		\$3,610,000	\$0	\$0	\$0	\$0	\$0	\$4,390,000	\$0	\$8,000,000
<b>DELAWARE TECHNICAL AND COMMUNITY COLLEGE</b>										
Wilmington Campus Expansion	90-04-04	\$4,145,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$4,145,000
Polytech Renovations, Terry Campus	90-04-06	775,500 *	0	0	0	0	0	124,500	0	900,000
Owens Campus Projects (Jason/Student Services)	90-04-02	0	0	0	0	0	0	2,800,000	0	2,800,000
MCI/Equipment Supplement	90-04-01	0	0	0	0	0	0	155,000	0	155,000
Subtotal:		\$4,920,500	\$0	\$0	\$0	\$0	\$0	\$3,079,500	\$0	\$8,000,000

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		IZATIONS AND	IZATION OF	REVERSION						
		REAUTHOR- IZATION	STATE GUAR- ANTEED BONDS	& REPRO- GRAMMING						
EDUCATION										
Architectural Barrier Removal (60/40)	95-01-01	\$0	\$0	\$0	\$0	\$0	\$0	\$160,000	\$0	\$160,000
Public Ed. Enhanced Minor Capital Imprv. Fund (100% State)	95-01-01	0	0	0	0	0	0	10,000,000	0	10,000,000
Statewide Survey/Evaluation School Plants(100% State)	95-01-01	0	0	0	0	0	0	500,000	0	500,000
Caesar Rodney, Construct Middle School @ Frear (80/20)	95-10-00	3,058,700	0	0	0	0	0	0	0	3,058,700
Caesar Rodney, Replace Existing Jr. HS-Middle (80/20)	95-10-00	3,227,100	0	0	0	0	0	0	0	3,227,100
Laurel - Administration Building	95-16-00	0	0	0	0	0	0	236,000	0	236,000
Seaford - Administration Building(80/20)	95-23-00	0	0	0	0	0	0	293,700	0	293,700
Appoquinimink-Construct New Elementary (71/29)	95-29-00	0	0	0	0	0	0	376,700	0	376,700
Appoquinimink-Renovate Middletown Middle(71/29)	95-29-00	0	0	0	0	0	0	1,971,500	0	1,971,500
Appoquinimink-Renovate Redding Middle(71/29)	95-29-00	0	0	0	0	0	0	1,733,300	0	1,733,300
Appoquinimink-Renovate Silver Lake Elementary(71/29)	95-29-00	0	0	0	0	0	0	1,259,000	0	1,259,000
Appoquinimink-Renovate Townsend Elementary(71/29)	95-29-00	0	0	0	0	0	0	1,101,500	0	1,101,500
Appoquinimink-Repair Cedar Lane Elementary(71/29)	95-29-00	0	0	0	0	0	0	337,300	0	337,300
Brandywine - Replace Cupola/Roof PS DuPont Elem(60/40)	95-31-00	0	0	0	0	0	0	264,000	0	264,000
Brandywine - Claymont Elementary(60/40)	95-31-00	0	0	0	0	0	0	1,169,600	0	1,169,600
Brandywine - Springer Labs(60/40)	95-31-00	0	0	0	0	0	0	207,500	0	207,500
Brandywine - Harlan Elementary(60/40)	95-31-00	0	0	0	0	0	0	560,000	0	560,000
Red Clay-Add to McKean High(60/40)	95-32-00	0	0	0	0	0	0	1,025,500	0	1,025,500
Red Clay-Renovate Baltz Elementary (60/40)	95-32-00	0	0	0	0	0	0	683,200	0	683,200
Red Clay-Renovate Conrad Elementary(60/40)	95-32-00	0	0	0	0	0	0	1,060,300	0	1,060,300
Red Clay-Renovate Dickinson High(60/40)	95-32-00	0	0	0	0	0	0	562,800	0	562,800
Red Clay-Renovate Forest Oak Elementary(60/40)	95-32-00	0	0	0	0	0	0	467,600	0	467,600
Red Clay-Renovate HB duPont Middle(60/40)	95-32-00	0	0	0	0	0	0	470,400	0	470,400
Red Clay-Renovate Highlands Elementary(60/40)	95-32-00	0	0	0	0	0	0	239,800	0	239,800
Red Clay-Renovate Linden Hill Elementary(60/40)	95-32-00	0	0	0	0	0	0	63,700	0	63,700
Red Clay-Renovate Marbrook Elementary(60/40)	95-32-00	0	0	0	0	0	0	457,400	0	457,400
Red Clay-Renovate Mote Elementary(60/40)	95-32-00	0	0	0	0	0	0	537,100	0	537,100
Red Clay-Renovate Richardson Park & ILC(60/40)	95-32-00	0	0	0	0	0	0	798,300	0	798,300
Red Clay-Renovate Shortlidge Elementary(60/40)	95-32-00	0	0	0	0	0	0	425,500	0	425,500
Red Clay-Renovate Skyline Middle(60/40)	95-32-00	0	0	0	0	0	0	715,100	0	715,100

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<b>EDUCATION - Continued</b>										
Red Clay-Renovate Stanton Middle(60/40)	95-32-00	0	0	0	0	0	0	198,300	0	198,300
Red Clay-Renovate Telegraph Road(60/40)	95-32-00	0	0	0	0	0	0	445,000	0	445,000
Red Clay-Renovate Warner Elem/Kdgr Ctr(60/40)	95-32-00	0	0	0	0	0	0	227,200	0	227,200
Red Clay-Renovate Wilmington High(60/40)	95-32-00	0	0	0	0	0	0	1,191,200	0	1,191,200
Red Clay-Renovate/Add to A.I. duPont High(60/40)	95-32-00	0	0	0	0	0	0	1,241,600	0	1,241,600
Red Clay-Renovate/Add to Richey Elementary(60/40)	95-32-00	0	0	0	0	0	0	65,500	0	65,500
Red Clay-Repr Roof/Other Lewis Elementary(60/40)	95-32-00	0	0	0	0	0	0	88,500	0	88,500
Red Clay-Technology Ed Equipment (60/40)	95-32-00	0	0	0	0	0	0	6,429,000	0	6,429,000
Delmar, Construct Middle/High School for 950 (79/21)	95-37-00	12,703,700	0	0	0	0	0	0	0	12,703,700
Marshallton Building (votech) window replacement (60/40)	95-38-00	0	0	0	0	0	0	45,000	0	45,000
Delaware Skills Center Building Renovations(100%)	95-38-00	0	0	0	0	0	0	300,000	0	300,000
Delcastle Air Conditioner replacement (60/40)	95-38-00	0	0	0	0	0	0	300,000	0	300,000
NCC Vo-Tech Planning/Land Acquisition (60/40)	95-38-00	0	0	0	0	0	0	400,000	0	400,000
State Consortium on Tech Prep Programs (100%)	95-39-00	0	0	0	0	0	0	450,000	0	450,000
Sussex Tech Expansion(60/40)	95-40-00	3,000,000	0	0	0	0	0	0	0	3,000,000
Christina - Construct Autistic Residence(100%)	95-51-00	0	0	0	0	0	0	350,000	0	350,000
Gumboro School	95-01-01	0	0	0	0	0	0	50,000	0	50,000
Subtotal:		\$21,989,500	\$0	\$0	\$0	\$0	\$0	\$39,458,100	\$0	\$61,447,600
<b>TWENTY-FIRST CENTURY FUND</b>										
Open Space (Land/Water Conservation Trust Fund Project Acct.)	25-01-01	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$7,000,000	\$7,000,000
Farmland Preservation	25-01-01	0	0	0	0	0	0	0	7,000,000	7,000,000
Parks Endowment	25-01-01	0	0	0	0	0	0	0	2,000,000	2,000,000
Educational Technology	25-01-01	0	0	0	0	0	0	0	4,000,000	4,000,000
Community Redevelopment Fund	25-01-01	0	0	0	0	0	0	6,500,000	4,500,000	11,000,000
Resource, Conservation and Development Projects	25-01-01	0	0	0	0	0	0	2,500,000	4,500,000	7,000,000
Advanced Technology Centers	25-01-01	0	0	0	0	0	0	0	4,000,000	4,000,000
Subtotal:		\$0	\$0	\$0	\$0	\$0	\$0	\$9,000,000	\$33,000,000	\$42,000,000

SECTION 1 ADDENDUM  
FISCAL YEAR 1999 CAPITAL IMPROVEMENTS PROJECT SCHEDULE

AGENCY/PROJECT	BUDGET UNIT	BOND AUTHOR-	DEAUTHOR-	NON-TRANS.	STRIPPER WELL	TRANS.	TRUST FUND REAUTH.	TRANS. TRUST FUNDS	GENERAL FUNDS	21st CENTURY FUND	TOTAL
		IZATIONS AND	IZATION OF	REVERSION							
		REAUTHOR- IZATION	STATE GUAR- ANTEED BONDS	& REPRO- GRAMMING							
INFRASTRUCTURE INVESTMENT PLAN											
Farmland Preservation	25-01-01	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$20,000,000	\$0	\$20,000,000
Open Space	25-01-01	0	0	0	0	0	0	0	26,000,000	0	26,000,000
Housing Development	25-01-01	0	0	0	0	0	0	0	8,000,000	0	8,000,000
Water/Wastewater	25-01-01	0	0	0	0	0	0	0	15,000,000	0	15,000,000
Education Technology	25-01-01	0	0	0	0	0	0	0	13,000,000	0	13,000,000
Port of Wilmington	25-01-01	0	0	0	0	0	0	0	20,000,000	0	20,000,000
Riverfront Development	25-01-01	0	0	0	0	0	0	0	14,000,000	0	14,000,000
Subtotal:		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$116,000,000	\$0	\$116,000,000
GRAND TOTAL:		\$105,790,000	\$868,000	\$1,281,600	\$200,000	\$2,853,000	\$131,331,000	\$131,331,000	\$259,000,000	\$33,000,000	\$534,323,600

1        Section 2. Deauthorization of State Guaranteed Bonds.

2        (a) Amend Section 5054(d)(2) of Title 29 of the Delaware Code, as amended, by striking the number  
3        "\$7,095,015" wherever it appears in said Section and inserting in lieu thereof the number "\$6,227,015."

4        (b) Nothing in this Act shall reduce the amount of bonds authorized to be issued by The Delaware Economic  
5        Development Authority, or any successor authority, to which may be pledged the full faith and credit of the state  
6        below the amount of such bonds issued and unpaid on the effective date of this Act. The provisions of Section 11  
7        of Chapter 387 of Volume 63 of the Laws of Delaware shall apply in this regard.

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9        Section 3. Authorization of Twenty-Year Bonds. The state hereby authorizes the issuance of bonds, to which  
10       the state shall pledge its full faith and credit, such bonds to be issued in such principal amount as necessary to  
11       provide proceeds to the state in the amount of One Hundred Two Million Fourteen Thousand Five Hundred Dollars  
12       (\$102,014,500) and in the amount of Six Million Nine Hundred Forty Eight Thousand Four Hundred Dollars  
13       (\$6,948,400) local share of school bonds. Bonds authorized to be used by this Section shall mature not later than  
14       twenty (20) years from their date of issuance. The proceeds of such bonds, except for local share of school bonds,  
15       are hereby appropriated for a portion of the purposes set forth in the Section 1 Addendum of this Act and  
16       summarized as follows:

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Office of the Budget	\$ 1,533,000
Department of Administrative Services	70,737,000
Delaware State University	3,610,000
Delaware Technical and Community College	4,145,000
Department of Education	21,989,500

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<u>Purpose</u>	<u>Maximum State Share</u>	<u>Local Share</u>	<u>Total Cost</u>
Delmar, Construct Middle/High (79/21)	\$12,703,700	\$3,376,900	\$16,080,600
Caesar Rodney, Replace Existing Jr. H.S. - Middle (80/20)	3,227,100	806,800	4,033,900
Caesar Rodney, Construct Middle School at Frear (80/20)	3,058,700	764,700	3,823,400
Sussex Vo-Tech Expansion (60/40)	<u>3,000,000</u>	<u>2,000,000</u>	<u>5,000,000</u>

Subtotals	<u>\$21,989,500</u>	<u>\$6,948,400</u>	<u>\$28,937,900</u>	
Total				\$ 102,014

Section 4. Authorization of Ten-Year Bonds. The state hereby authorizes the issuance of bonds, to which the state shall pledge its full faith and credit, such bonds to be issued in such principal amount as necessary to provide proceeds to the state in the amount of Three Million Seven Hundred Seventy Five Thousand Five Hundred Dollars (\$3,775,500). Bonds authorized to be issued by this Section shall mature not later than ten (10) years from their date of issuance. The proceeds of such bonds, except for local share of school bonds, are hereby appropriated for a portion of the purposes set forth in the Section 1 Addendum of this Act and summarized as follows:

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Department of Administrative Services	\$3,000,000
Delaware Technical and Community College	<u>775,500</u>
Total	<u>\$ 3,775,500</u>

Section 5. Transfers to the State Treasurer's Bond Reversion Account.

<u>Project</u>	<u>Authorized Vol &amp; Ch Laws of DE</u>	<u>Project Appropriation Code</u>	<u>Amount</u>
Gander Hill	68/405	30-05-10-6302	\$266.75
Lewis Building	69/386	30-05-10-6517	3,691.12
Stockley Pool	70/210	30-01-10-6624	5,446.14
Secure Care	70/210	30-05-10-6625	3,208.90
Higher Education Building	68/156	90-04-02-6212	<u>2,902.63</u>
Total			<u>\$15,515.54</u>

Section 6. Transfers from the State Treasurer's Bond Reversion Account. Notwithstanding the provisions of other state law, the State Treasurer shall transfer, as funds become available, the sum of Forty Thousand Dollars (\$40,000) from the State Treasurer's Bond Reversion Account (94-12-05-03-8101) to the following departments in the following amounts for the purposes set forth in the Section 1 Addendum of this Act.

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Department of Administrative Services (New Castle County Courthouse)	<u>\$40,000</u>
Total	<u>\$40,000</u>

Section 7. Transfers from the State Treasurer's School Bond Reversion Account. Notwithstanding the provisions of other state law, the State Treasurer shall transfer, as funds become available, the sum of Fifty Thousand Dollars (\$50,000) from the State Treasurer's School Bond Reversion Account (94-12-05-03-8102) to the following departments in the following amounts for the purposes set forth in the Section 1 Addendum of this Act.

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Department of Administrative Services (New Castle County Courthouse)	<u>\$50,000</u>
Total	<u>\$50,000</u>

Section 8. Appropriation of General Funds. (a) It is the intent of the General Assembly that One Hundred Twenty Seven Million Dollars (\$127,000,000) be appropriated to the following departments, agencies and instrumentalities of the state and in the following amounts for the purposes set forth in the Section 1 Addendum of this Act. Any funds remaining unexpended or unencumbered by June 30, 2001, shall revert to the General Fund of the State of Delaware. The State hereby authorizes the issuance of bonds, to which the State shall pledge its full faith and credit, such bonds to be issued in such principal amount as necessary to provide proceeds to the State in the amount of Sixteen Million, Five Hundred Sixty Seven Thousand, Six Hundred Dollars (\$16,567,600) local share of school bonds. Bonds authorized by this Section shall mature not later than twenty years from their issuance.

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Office of the Budget	\$20,102,300
Delaware Economic Development Office	19,003,000
Office of Information Services	871,200
Department of State	1,837,500
Department of Administrative Services	16,023,400
Department of Health and Social Services	1,000,000
Department of Correction	719,000
Department of Natural Resources and Environmental Control	9,060,000
Department of Public Safety	2,660,000
Department of Agriculture	188,500
Fire Prevention Commission	607,500
University of Delaware	8,000,000
Delaware State University	4,390,000
Delaware Technical and Community College	3,079,500
Department of Education	<u>39,458,100</u>

<u>Purpose</u>	<u>Maximum State Share</u>	<u>Local Share</u>	<u>Total Cost</u>
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Architectural Barrier Removal (60/40)	160,000	106,700	266,700	
Public Ed. Enhanced Minor Capital Imprv. Fund (100% State)	10,000,000	0	10,000,000	
Statewide Survey/Evaluation School Plants(100% State)	500,000	0	500,000	
Laurel - Administration Building(80/20)	236,000	59,000	295,000	
Seaford - Administration Building(80/20)	293,700	73,400	367,100	
Appoquinimink-Construct New Elementary (71/29)	376,700	153,900	530,600	
Appoquinimink-Renovate Middletown Middle(71/29)	1,971,500	805,300	2,776,800	
Appoquinimink-Renovate Redding Middle(71/29)	1,733,300	708,000	2,441,300	
Appoquinimink-Renovate Silver Lake Elementary(71/29)	1,259,000	514,200	1,773,200	
Appoquinimink-Renovate Townsend Elementary(71/29)	1,101,500	449,900	1,551,400	
Appoquinimink-Repair Cedar Lane Elementary(71/29)	337,300	137,800	475,100	
Brandywine - Replace Cupola/Roof PS DuPont Elem(60/40)	264,000	176,000	440,000	
Brandywine - Claymont Elementary(60/40)	1,169,600	779,700	1,949,300	
Brandywine - Springer Labs(60/40)	207,500	138,300	345,800	
Brandywine - Harlan Elementary(60/40)	560,000	373,300	933,300	
Red Clay-Add to McKean High(60/40)	1,025,500	683,700	1,709,200	
Red Clay-Renovate Baltz Elementary (60/40)	683,200	455,500	1,138,700	
Red Clay-Renovate Conrad Elementary(60/40)	1,060,300	706,900	1,767,200	
Red Clay-Renovate Dickinson High(60/40)	562,800	375,200	938,000	
Red Clay-Renovate Forest Oak Elementary(60/40)	467,600	311,700	779,300	
Red Clay-Renovate HB duPont Middle(60/40)	470,400	313,600	784,000	
Red Clay-Renovate Highlands Elementary(60/40)	239,800	159,900	399,700	
Red Clay-Renovate Linden Hill Elementary(60/40)	63,700	42,500	106,200	
Red Clay-Renovate Marbrook Elementary(60/40)	457,400	304,900	762,300	
Red Clay-Renovate Mote Elementary(60/40)	537,100	358,100	895,200	
Red Clay-Renovate Richardson Park & ILC(60/40)	798,300	532,200	1,330,500	
Red Clay-Renovate Shortlidge Elementary(60/40)	425,500	283,700	709,200	
Red Clay-Renovate Skyline Middle(60/40)	715,100	476,700	1,191,800	
Red Clay-Renovate Stanton Middle(60/40)	198,300	132,200	330,500	
Red Clay-Renovate Telegraph Road(60/40)	445,000	296,700	741,700	
Red Clay-Renovate Warner Elem/Kdgr Ctr(60/40)	227,200	151,500	378,700	
Red Clay-Renovate Wilmington High(60/40)	1,191,200	794,100	1,985,300	
Red Clay-Renovate/Add to A.I. duPont High(60/40)	1,241,600	827,700	2,069,300	
Red Clay-Renovate/Add to Richey Elementary(60/40)	65,500	43,700	109,200	
Red Clay-Repair Roof/Other Lewis Elementary(60/40)	88,500	59,000	147,500	
Red Clay-Technology Ed Equipment(60/40)	6,429,000	4,285,900	10,714,900	
Marshallton Building (votech) window replacement (60/40)	45,000	30,000	75,000	
Delaware Skills Center Building Renovations(100%)	300,000		300,000	
Delcastle Air Conditioner replacement (60/40)	300,000	200,000	500,000	
NCC Vo-Tech Planning/Land Acquisition (60/40)	400,000	266,700	666,700	
State Consortium on Tech Prep Programs (100%)	450,000		450,000	
Christina - Construct Autistic Residence(100%)	350,000		350,000	
Gumboro School	50,000		50,000	
Subtotal	<u>\$39,458,100</u>	<u>\$16,567,600</u>	<u>\$56,025,700</u>	
Total				<u>\$127,000,000</u>

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(b) It is the intent of the General Assembly that Seven Million Dollars (\$7,000,000) be appropriated to the Office of the Budget for the Transportation Trust Fund. This is a supplemental appropriation of and in addition to the monies appropriated by the Fiscal Year 1999 Appropriations Act and shall be paid by the State Treasurer from General Fund monies not otherwise appropriated.

(c) The Section 1 Addendum contains an appropriation of One Million Four Hundred Sixty Two Thousand Three Hundred Dollars (\$1,462,300) for Sussex Volunteer Fire Radios. This appropriation is intended to complete the State's commitment to provide 800 MHz equipment for local fire companies.

(d) It is the intent of the General Assembly that Six Million Five Hundred Thousand Dollars (\$6,500,000) be appropriated for the Community Redevelopment Fund within the Twenty-First Century Fund. Allocation of these funds shall be determined by the Joint Legislative Committee on the Capital Improvement Program.

(e) It is the intent of the General Assembly that Two Million Five Hundred Thousand Dollars (\$2,500,000) be appropriated for the Resource Conservation and Development (Drainage) Program within the Twenty-First Century Fund.

(f) The Section 1 Addendum appropriates Six Million Four Hundred Twenty Nine Thousand (\$6,429,000) to Red Clay – Technology Education Equipment. These funds shall be expended as per the certificate of necessity # 9932B, issued by the Department of Education January 23, 1998.

(g) The seven frequencies/licenses for the 800 MHz system assigned to the City of Wilmington shall be ceded to the State of Delaware, for purposes of incorporation into the overall 800 MHz communication system.

Section 9. Appropriation of First State Improvement Fund. The state hereby authorizes the appropriation of Fifty Thousand Dollars (\$50,000) from the First State Improvement Fund (86-12-05-03-9600) for a portion of the purposes set forth in the Section 1 Addendum of this Act.

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Department of Administrative Services New Castle County Courthouse	<u>\$50,000</u>
Total	<u>\$50,000</u>

Section 10. Health Facilities Subsidy Fund. Notwithstanding the provisions of Chapter 90 of Title 16 of the Delaware Code, there is hereby appropriated the sum of Fifty Five Thousand Dollars (\$55,000) from the Health Facilities Subsidy Fund held by the State Treasurer (96-12-05-03-9400) to the following department in the following amount for the purposes set forth in the Section 1 Addendum of this Act. Any funds remaining unexpended or unencumbered by June 30, 2001, shall revert to the Health Facilities Subsidy Fund.

<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Department of Administrative Services New Castle County Courthouse	<u>\$55,000</u>
Total	<u>\$55,000</u>

Section 11. Allocation of Stripper Well Funds. The state hereby authorizes the Department of Administrative Services to allocate Two Hundred Thousand Dollars (\$200,000) from the proceeds of the Stripper Well Court Case Settlement for eligible projects up to the amount set forth in the Section 1 Addendum of this Act. All potentially eligible projects shall be submitted to the State Energy Office for review and prioritization according to the energy savings and payback predicted. For all projects eligible for Stripper Well funding, the Department of Administrative Services shall provide technical oversight of such projects and shall disburse funds in a manner consistent with the Stripper Well Court Case Settlement.

Section 12. Appropriation of Special Funds There is hereby appropriated the sum of One Million Eighty Six Thousand Six Hundred Dollars (\$1,086,600) from the Bond Sale 177 account, held by the State Treasurer (97-12-05-03-8597) to the following department in the following amount for the purpose set forth in the Section 1 Addendum of this Act. Any project funds remaining unexpended or unencumbered by June 30, 2001 shall revert to the General Fund of the State of Delaware. Any remaining balance in the Bond Sale 177 account shall be used to reduce debt service.

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<u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
Department of Administrative Services(Government Center Plaza Deck	
Repairs	<u>\$1,086,600</u>
Total	<u>\$1,086,600</u>

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Section 13. Continuing Appropriations. For the fiscal year ending June 30, 1998, any sums in the following

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accounts shall remain as continuing appropriations and shall not be subject to a reversion until June 30, 1999.

<u>Fiscal Year</u> <u>Appropriation</u>	<u>Account Codes</u>	<u>Remarks</u>
1992	10-03-03-0182	Dover Civic Center
1991	10-03-03-6112	Dover Civic Center
1995	10-03-03-0802	Revitalization
1990	10-03-03-9643	Dover Civic Center
1993	10-03-04-6312	FAF Reserve
1995	20-01-01-0181	Historical Society of Delaware
1995	20-01-01-0182	Millsboro Historical Society
1995	20-01-01-0183	Delaware Agricultural Museum
1995	20-01-01-0185	Madison Factory
1994	20-08-01-6419	Bear Library
1994	20-08-01-6421	Concord Library
1994	20-08-01-6423	Rehoboth Library
1993	20-08-01-0182	Concord Library
1995	20-08-01-0182	Wilmington Library
1995	20-08-01-6512	Bear Library
1995	20-08-01-6513	Northern Regional Library
1995	20-08-01-6514	Rehoboth Library Plan
1995	20-08-01-6515	Plan New Castle
1996	20-08-01-6612	NCC N-Lib
1996	20-08-01-6613	Rehoboth Lib
1996	20-08-01-6615	Greenwood Lib
1996	20 08 01 6616	North Wilmington Library
1996	20-08-01-6617	Claymont Lib
1996	30-05-10-0190	Appoquinimink Ctr/Lib
1996	30-05-10-0192	Woodshaven Kruse
1995	30-05-10-6521	SCI Critical Enhancements
1994	30-05-10-6424	DYS Imp Plan
1994	30-05-10-6432	Georgetown Service Center
1995	30-05-10-6513	MCI MTV
1995	30-05-10-6516	Georgetown Service Center
1996	30-05-10-6601	Architectural Barrier Removal
1996	30-05-10-6614	MCI Equip
1996	30-05-10-6617	Renovation & Equip
1996	30-05-10-6618	JP Crt 16
1996	30-05-10-6619	JP Crt 15
1996	30-05-10-6620	Entl. Vault
1996	30-05-10-6622	Camp Renew
1996	30-05-10-6626	Bed Pod
1996	30-05-10-6627	Expn/Const
1996	30-05-10-6632	Redden MCI
1996	30-05-10-6633	Lora Little Roof

1996	30-05-10-6634	NCC F.M. OR.
1995	35-01-20-0181	Claymont Community Center
1994	35-01-20-6412	Georgetown SS
1998	40-00-00-8401	Stripper Well
1995	40-06-02-0184	Aquatic Center
1994	40-06-02-6413	Aquatic Center
1994	40-06-02-6416	Henlopen Pier
1994	40-06-02-6417	Carpenter Park
1996	40-06-02-6613	Aquatic Center
1998	40-06-02-6813	Fort Improvements
1991	40-06-04-6212	Aquatic Center
1992	40-06-04-6212	Aquatic Center
1992	40-07-02-6214	Little Mill Flood Abatement
1993	40-07-02-6313	Resource, Conservation and Development
1994	40-07-02-6413	Resource, Conservation and Development
1991	40-08-01-6115	Little Mill
1992	40-08-01-6212	Little Mill
1995	40-08-01-6514	Revolving Loan Program
1995	40-08-01-9652	Revolving Loan Program
1993	40-08-06-0182	Cockeysville
1992	76-01-01-6213	MCI/Equipment
1996	90-03-01-6612	Econ/Bus
1996	90-03-01-6613	Loop Rd/Bus
1995	90-03-01-6512	Science Center
1996	90-03-01-0195	Women's Locker Room
1996	90-03-01-6613	Child Care
1994	90-04-02-0183	Land-Owens Campus
1993	90-04-02-0187	Land-Owens Campus
1996	90-04-06-0190	HVAC - Terry
1995	95-13-00-6512	North Elementary
1994	95-17-00-6412	Asbestos
1994	95-29-00-6493	Architectural Barrier Removal
1995	95-29-00-6593	Architectural Barrier Removal
1995	95-29-00-6512	Appoquinimink High School
1991	95-33-00-6113	Barrett Run
1996	95-33-00-0280	Bancroft Elementary
1996	95-33-00-0281	Newark HS
1996	95-33-00-0282	Cobbs/Gauger
1996	95-33-00-0283	Leasure Elementary
1996	95-33-00-0284	Glasgow Elementary
1996	95-33-00-0285	Glasgow HS
1994	95-36-00-6413	Georgetown
1993	95-37-00-6382	MCI-93 Delmar
1993	95-54-00-6382	MCI-93 Meadowood
1994	95-60-00-6412	Autistic Renovations

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 2        Section 14. Exxon Funds. It is the intent of the General Assembly that the monies appropriated in this Act  
 3 and funds authorized for minor capital improvements in any annual appropriation act may be used to match  
 4 Exxon funds for any purpose deemed appropriate by the State Energy Weatherization Committee and so long  
 5 as the purpose does not contradict the purposes set forth in the Section 1 Addendum of this Act.  
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Section 15. Infrastructure Investment Plan. (a) It is the intent of the General Assembly that One Hundred Sixteen Million Dollars (\$116,000,000) be appropriated from General Funds to the Office of the Secretary, Department of Finance (25-01-00) to be used for long-term investments to promote economic and educational competitiveness and to protect Delaware's quality of life. Unless otherwise provided below, funds shall be deposited into the Twenty-First Century Fund as established by §6102A, Title 29, Delaware Code. Of the total appropriation, Sixty-Nine Million Dollars (\$69,000,000) shall be used to establish a Growth Management Fund to complement State and county land use goals by directing investments in existing communities and growth areas; and protecting critical farmland and open space from urban sprawl. The Cabinet Committee on State Planning Issues shall provide overall guidance and coordination to ensure that investments made by the Growth Management Fund are consistent with the State's land use policies. Funds shall be allocated as follows:

<u>Purpose</u>	<u>Amount</u>
Farmland Preservation	\$20,000,000
Open Space	\$26,000,000
Housing Development	\$ 8,000,000
Water/Wastewater	\$15,000,000

The remaining Forty Seven Million Dollars (\$47,000,000) shall be administered through the Department of Finance and shall be subject to the specific requirements established by law to govern expenditures for these purposes. No funds shall be used for agency overhead or personnel-related costs except as otherwise indicated in this Section. Funds shall be allocated as follows:

<u>Purpose</u>	<u>Amount</u>
Education Technology	\$13,000,000
Port of Wilmington	\$20,000,000
Riverfront Development	\$14,000,000

(b)(1) Funds appropriated in subsection (a) for Farmland Preservation shall be available for expenditure to the Department of Agriculture as follows:

<u>Fiscal Year</u>	<u>Amount</u>
1999	\$5,000,000
2000	\$8,000,000
2001	\$7,000,000

Farmland Preservation funds shall be used to support the purchase of development rights program to preserve quality farmland and ensure the continued viability of the Delaware agricultural industry. Prior to the distribution of these funds, the Foundation shall execute the provisions established in §§901-918, Title 3, Delaware Code and shall have approved by the Cabinet Committee on State Planning Issues the regulations and procedures adopted by the Delaware Agricultural Lands Preservation Foundation that are designed to ensure the protection of farmland that is being threatened by development.

Subject to the prior approval of the Cabinet Committee on State Planning Issues, the Delaware Agricultural Lands Preservation Foundation may waive part or all of the match required by this section for lands near targeted growth areas that are threatened by development. In addition, up to One Hundred Fifty Thousand Dollars (\$150,000) annually may be used for operational costs of the Agricultural Lands Preservation Foundation.

(b)(2) Of the funds appropriated for Farmland Preservation in subsection (a), up to \$1,600,000 shall be used by the Department of Natural Resources and Environmental Control for the Conservation Reserve Enhancement Program (CREP). These funds shall be used to match federal funds on a 20/80 match ratio. The objectives of the CREP program are to improve water quality, erosion control, and wildlife habitat in geographic regions which have been adversely affected by agricultural activities. These funds shall be used to contract or cost-share with landowners for the planting of grass filterstrips, riparian buffers, and other environmental improvements that will greatly assist in the attainments of TMDL's in areas not meeting water quality standards. These funds shall not be subject to reversion until June 30, 2002. Should federal funding for this program not be secured, these funds shall be used for the purposes set forth in subsection (b)(1).

(b)(3) Of the funds appropriated for Farmland Preservation in subsection (a), up to \$170,000 of the FY 1999 allocation shall be used for the development of new digital soils maps and interpretations for Delaware. These shall be developed on a cost share basis with the United States Department of Agriculture.

(c) Funds appropriated in subsection (a) for Open Space shall be distributed to the Department of Natural Resources and Environmental Control. Funds appropriated shall be available for transfer to the Land and Water Conservation Trust Fund Project Account for expenditure as follows:

<u>Fiscal Year</u>	<u>Amount</u>
1999	\$18,000,000
2000	\$ 8,000,000

1 These sums shall be used to purchase land and conservation easements by the Open Space Council in  
2 accordance §7506, Title 7, Delaware Code. Match provisions of §6102A(c)(2), Title 29, Delaware Code, shall  
3 apply to all funds appropriated, with the exception of Ten Million Dollars (\$10,000,000) of the Fiscal Year 1999  
4 appropriation. Funds shall be transferred from the Infrastructure Investment Fund to the Project Account of the  
5 Land and Water Trust Fund upon the transmittal of a letter of certification from the Secretary of Natural  
6 Resources and Environmental Control to the Secretary of Finance which states that the funds are for a project  
7 approved by the Open Space Council pursuant to §7506, Title 7, Delaware Code.

8 (d) Funds appropriated in subsection (a) for Housing Development shall be distributed to the Delaware State  
9 Housing Authority. Funds shall be transferred by the Secretary of Finance upon the request of the Chair of the  
10 Council on Housing. Funds shall be available for expenditure as follows:

11

<u>Fiscal Year</u>	<u>Amount</u>
1999	\$3,000,000
2000	\$3,000,000
2001	\$2,000,000

12  
13 The funds shall be used to bolster the efforts of the Housing Development Fund to provide critical improvements  
14 to the State's housing infrastructure, finance new affordable housing in growth areas and leverage additional non-  
15 State sources to supplement existing efforts.

16 (e)(1) Of the funds appropriated in subsection (a) for Water/Wastewater Infrastructure, Eight Million Dollars  
17 (\$8,000,000) shall be distributed to the Department of Natural Resources and Environment Control to increase  
18 funds for the Wastewater Management Account – a state revolving loan/grant program account to enhance and  
19 supplement public and private wastewater financing. The wastewater infrastructure monies shall be governed by  
20 the criteria and procedures set forth in §6102A(g)(3), Title 29, Delaware Code. The remaining Seven Million  
21 Dollars (\$7,000,000) shall be distributed to the Department of Health and Social Services to serve as the State  
22 match for the Federal Safe Drinking Water Act and shall be governed by the procedures set forth in  
23 §6102A(g)(4), Title 29, Delaware Code.

24 (e )(2) Of the Eight Million Dollars (\$8,000,000) allocated in (e)(1) above from appropriations in subsection  
25 (a) above to the Department of Natural Resources and Environmental Control for Water/Wastewater, Two Million

Five Hundred Thousand Dollars (\$2,500,000) shall be set-aside to help make the proposed wastewater project for the Town of Ellendale meet the affordability criteria established by the Wastewater Facilities Advisory Council and to reduce the annual cost of sewer service to low-income residents of the West Rehoboth sanitary sewer district. The funding mechanism and eligibility criteria shall be consistent with established procedures of the Wastewater Facilities Advisory Council, who is directed to develop and administer, with the advice and consent of the Secretary of Finance and the Secretary of DNREC, said funding mechanism and eligibility criteria. If the Wastewater Facilities Advisory Council determines that the entire Two Million Five Hundred Thousand Dollars (\$2,500,000) set-aside is not needed for the aforesaid purposes, the remainder shall be used for other eligible projects under the Water/Wastewater Fund.

(f) Funds appropriated in subsection (a) for Education Technology shall be used for the purposes of technology acquisition for educational staff and students and shall be held by the Secretary of Finance and eligible for expenditure as follows:

<u>Fiscal Year</u>	<u>Amount</u>
1999	\$3,000,000
2000	\$5,000,000
2001	\$5,000,000

The funds appropriated shall be allocated to local districts based on the number of full-time professionals employed in Fiscal Year 1998 and shall require a local match. This appropriation shall not be subject to reversion until June 30, 2001. Local school districts are required to match this appropriation using the local share ratio as defined in §7503, Title 29, Delaware Code. For the purposes of this specific appropriation, the local share ratio in effect at the time of passage of this Act shall be the local share ratio used for the duration of the appropriation. Local schools may use the match tax ability as specified in §1902(b), Title 14, Delaware Code, to raise the local share required by this section. Up to one half of the tax levy required to fully match a district's allocation may be levied indefinitely provided that the funds so raised are dedicated to ongoing equipment maintenance, repair, and replacement. Subsequent to July 1, 1999, the state share allocated pursuant to this section shall not be transferred to a district general fund account until such district transfers the required local share into a specific local account established for this purpose. Prior to July 1, 1999, funds may be transferred to local districts subject to satisfaction of the local match requirement within the next two fiscal years.

(g) Funds appropriated in section (a) for the Port of Wilmington shall be distributed to the Department of State to make capital investments in the Port that maintain its competitiveness and that allow it to continue to be a major economic asset of the State. Consistent with the discretion granted to the Secretary of Finance to transfer funds to the Diamond State Port Corporation upon the formation of, approval by, and formal request from the Board of Directors of the Diamond State Port Corporation, funds may be transferred in any fiscal year from the funds appropriated in subsection (a) of this Section to the Port Account and invested and expended consistent with the purposes of the Diamond State Port Corporation.

(h)(1) Notwithstanding the provisions of subsection (a) above, funds appropriated for Riverfront Development shall be distributed directly to the "Brandywine-Christina Rivers Improvement Fund" established in Volume 70, Laws of Delaware, hereinafter referred to as the "Rivers Fund".

(2) The Rivers Fund shall be invested by the State Treasurer in securities consistent with the policies established by the Cash Management Policy Board. All monies generated by the said Fund shall be deposited thereto.

(3) Not more than Three Hundred Fifty Thousand Dollars (\$350,000) of interest income from the Rivers Fund shall be used for operating expenses for the fiscal year ending June 30, 1999.

Section 16. Twenty-First Century Fund Appropriations.

(a) The General Assembly hereby authorizes the amount of Thirty-Three Million Dollars (\$33,000,000) to be paid out of the Twenty-First Century Fund from funds deposited in accordance with Section 6102A(b)(1), Title 29, Delaware Code. It is the intent that the appropriation account shall be administered through the Department of Finance and shall be subject to allocation and conditions as set forth in this section. No funds shall be used for agency overhead or personnel-related costs. Any unused authorization in the Project Accounts by June 30, 2005 shall revert to the Twenty-First Century Fund Account in the Department of Finance.

<u>Purpose</u>	<u>Amount</u>
Open Space	\$ 7,000,000
Farmland Preservation	7,000,000
Parks Endowment	2,000,000
Educational Technology	4,000,000
Advanced Technology Centers	4,000,000
Community Redevelopment Fund	4,500,000
Resource, Conservation and Development (Drainage)	<u>4,500,000</u>

Total

\$33,000,000

(b) Farmland Preservation: Of the Seven Million Dollars (\$7,000,000) Twenty-First Century Funds appropriated to Farmland Preservation in (a) hereof, up to Three Hundred Fifty Thousand Dollars (\$350,000) may be used to pay the cost of mapping, legal services and other related costs required to create agricultural district agreements, and shall be exempt from matching requirements.

(c) Community Redevelopment: Amend Subsection (i)(3), Section 6102A, Title 29, Delaware Code by deleting the following sentence as it appears therein, "Not more than 60 percent of the Account funds shall be awarded to community-based nonprofit applicants and no more than 40 percent of the Account funds shall be awarded to county and local governments."

Section 17. The Secretary of Finance shall be authorized to make payments to intervenors pursuant to the settlement agreement in the Delaware v. New York Supreme Court decision in the amount of Three Million Three Hundred Thousand Dollars (\$3,300,000) due January 31, 2003 and in the amount of Seventeen Million Seven Hundred Thousand Dollars (\$17,700,000) due January 31, 2004.

Section 18. Project Funds Transfer from FY 1996 and FY 1997 to FY 1998. Within the same county, any Twenty-First Century Funds or match remaining after all projects authorized as part of the Twenty-First Century Resource, Conservation and Development (RCD) project list, pursuant to the FY 1996 Bond Appropriation, the FY 1997 Bond Appropriation or the FY 1998 Bond Appropriation, have been completed may be utilized for RCD projects in the FY 1999 list of projects approved as part of the FY 1999 Bond Authorization.

Section 19. The Twenty-First Century Fund anticipates a total appropriation of Thirty Million Dollars (\$30,000,000) to complete a capital program of creating an Educational Technology wiring network encompassing every public school in the State. Without approval of the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program, the Secretary of Finance, and the Budget Director, no expenditures other than for the foregoing purpose shall be made by the Delaware Center for Educational Technology from the Educational Technology Account or from any other sources of funding including, but not limited to, governmental or private grant funds, until the Strategic Plan required under the provisions of Chapter 6102A(j)(4) of Title 29, Delaware Code shall have been approved by the Joint Legislative Committee on the

1 Capital Improvement Program, provided, however, that nothing contained herein shall preclude the expenditure  
2 of grant funds specifically targeted or restricted by the granting agency for the purposes of providing hardware or  
3 software in the classroom, distance learning programs, staff development programs related to technology  
4 implementation, or school to home networking connections.

5  
6 Section 20. The Delaware Center for Educational Technology is prohibited from establishing or maintaining  
7 State supported e-mail addresses for public school students except as may be deemed necessary by the local  
8 school district. This Section shall not preclude local school districts from providing student access to e-mail with  
9 local discretionary funds either through their own e-mail server or through a contract with the Office of  
10 Telecommunications Management (OTM). OTM shall provide a written report to the Joint Legislative Committee  
11 on the Capital Improvement Program by June 1, 1999 which shall include, but not be limited to, the number of  
12 schools participating in either local or OTM services for e-mail, acceptable use policies, monitoring capabilities,  
13 and security.

1 **OFFICE OF THE BUDGET**

2 Section 21. Notwithstanding Chapters 63 and 69, Title 29, Delaware Code or any other statutory provision to  
3 the contrary, the Office of Information Services is hereby granted exclusive authority to enter into agreements  
4 with private telecommunications companies to lease or license space for communication facilities on  
5 telecommunications towers and other facilities constructed for the 800 MHz Digital Trunked Radio System. The  
6 revenues received by the Office of Information Services under these agreements shall be deposited in a special  
7 fund and used for maintenance of 800 MHz Digital Trunked Radio System.

8  
9 Section 22. (a) The Section 1 Addendum of this Act contains an appropriation to the Office of the Budget  
10 (10-02-01) of \$17,000,000 (Seventeen Million Dollars) for Law Enforcement /Year 2000 Technology Initiatives.  
11 This appropriation contemplates information technology planning, development and procurement services for  
12 the following state department/agencies development projects and feasibility studies:

<u>DEPARTMENT/AGENCY</u>	<u>SERVICE NEED</u>
Office of the Budget	Release Date Information System Real Time Crime Reporting Year 2000 Issues
Department of Finance	Integrated Management System
Public Safety	NCIC 2000/21 <sup>st</sup> Century Policing
Correction	Offender Tracking
DNREC	Equipment
DELJIS	NCIC 2000 Network Compliance
DSCYTF	DFS Laptops
Department of Education	Pupil Accounting/Instructional Management

13  
14 (b) Allocation of the funds appropriated for this purpose shall be made by the Budget Director in  
15 consultation with the affected department/agency head. Service need allocations shall not be transferred to  
16 another department or service need unless approved by the Budget Director. In the event there are federal  
17 funds available for match in support of a project or projects, the Budget Director and the Controller General may  
18 transfer such funds as are necessary for matching purposes to the department/agency involved.

19 (c) No computer or computer-programming related systems project identified in Subsection (a) of this  
20 Section may be initiated by the departments/agencies during this fiscal year, unless covered by a formalized  
21 plan approved by the Budget Director in consultation with the Office of Information Services.

1 (d) Status reports for all active projects, sufficiently descriptive in nature of each project, shall be prepared  
2 by each department/agency and provided quarterly to the Budget Director and the Controller General through  
3 the completion of the project.

4 (e) No funds appropriated in the Section 1 Addendum of this Act may be used to employ data or word  
5 processing professionals in support of current or proposed data or word processing systems without prior written  
6 approval of the Budget Director.

1 **DELAWARE ECONOMIC DEVELOPMENT OFFICE**

2 Section 23. Delaware Strategic Fund. Of the funds appropriated to the Delaware Strategic Fund in the  
3 Section 1 Addendum of this Act, up to Five Hundred Thousand Dollars (\$500,000) may be utilized in order to  
4 provide financial assistance in the form of matching grants in an amount not greater than either Twenty-Five  
5 Thousand Dollars (\$25,000) or 50 percent of the total project costs for environmental assessments and  
6 remediations of sites associated with the "brownfield" initiative. For purposes of this Section a "brownfield" is  
7 defined as a vacant, unoccupied, or underutilized site, with respect to any portion thereof, which the owner of  
8 the site has reasonable cause to believe may, as a result of any prior commercial or industrial activity by any  
9 person, have been environmentally contaminated in a manner that would interfere with the intended use of such  
10 site. The Delaware Economic Development Authority shall draft rules and regulations pertaining to eligibility  
11 and establish criteria to administer the assistance.  
12

13 Section 24. Composites Research. The Delaware Economic Development Office is authorized to provide  
14 a match of up to One Hundred Thousand Dollars (\$100,000) to the University of Delaware Center for Composite  
15 Materials for federal research grants received that support the development and application of composite  
16 manufacturing technology for the benefit of Delaware companies. Such match shall be disbursed from the  
17 Strategic Fund upon documentation of the receipt of federal funds allocated to the Center during the fiscal year  
18 for these purposes and upon documentation of the relevance of these research projects to Delaware industries'  
19 needs and their participation within said projects.  
20

21 Section 25. The Delaware Economic Development Office is hereby prohibited from locating any operation  
22 that involves the use of hazardous materials at the former Helix Synthesis Technologies site within the Delaware  
23 Industrial Park.  
24

25 Section 26. Port of Wilmington. If the Governor and the Delaware Economic Development Office, at the  
26 suggestion of the Diamond State Port Corporation, request that the Delaware River and Bay Authority fund the  
27 acquisition of real property and improvements for the expansion of Port of Wilmington pursuant to the Compact  
28 (Title 17, Delaware Code, § 1701) and applicable statutory requirements, and if any such project is undertaken  
29 and funded by the Delaware River and Bay Authority, then such project is hereby authorized and approved by  
30 this Act.

1  
2       Section 27. Riverfront Development Corporation. If the Governor and the Delaware Economic  
3 Development Office, at the suggestion of the Riverfront Development Corporation of Delaware, request that the  
4 Delaware River and Bay Authority fund the acquisition of real property and improvements for economic  
5 development along or in proximity to the Brandywine and Christina Rivers as recommended in the report of the  
6 Governor's Task Force on the Future of the Brandywine and Christina Rivers, A Vision for the Rivers (1994)  
7 pursuant to the Compact (Title 17, Delaware Code, § 1701) and applicable statutory requirements, and if any  
8 such project is undertaken and funded by the Delaware River and Bay Authority after written approval by the  
9 Governor, then such project is hereby authorized and approved by this Act.

10  
11       Section 28. The Section 1 Addendum to this Act appropriates \$2,000,000 to the Delaware Economic  
12 Development Office for Main Channel Deepening of the Delaware River. Expenditure of these funds are  
13 contingent upon the following:

- 14           1. The Army Corps of Engineers provides funding to reconstruct the seawall at Pea Patch Island  
15           according to plans and specifications that have been developed by the Department of Natural  
16           Resources and Environmental Control.
- 17           2. A written agreement between the Army Corps of Engineers and the Department of Natural  
18           Resources and Environmental Control dealing with the potential use of dredge spoils for Delaware  
19           beach preservation.

20  
21       Section 29. The Section 1 Addendum to this Act appropriates \$750,000 to the Delaware Economic  
22 Development Office for the Frawley Stadium. These funds shall not be allocated until such time as the Board of  
23 Directors of the Delaware Stadium Corporation has amended its corporate bylaws to provide that, of the nine  
24 Class B Directors, one shall be appointed by the Speaker of the House and one shall be appointed by the  
25 President Pro Tempore of the Delaware General Assembly.

26  
27       Section 30. The Section 1 Addendum to this Act appropriates Two Million Three Hundred Five Thousand  
28 Dollars (\$2,305,000) for the Blades Marina Park Project ("Blades Marina Project"). It is the intent of the General  
29 Assembly that this appropriation represents continued State funding for this project.

1 To ensure timely cost effective completion and issues relating to the Blades Marina Project's ongoing  
2 operations, the Delaware Economic Development Office (DEDO) will partnership and/or contract with the Blades  
3 Economic Development Corporation (BEDCO). The partnership and/or contract is outlined in the Blades Marina  
4 Park Project Memorandum of Understanding. The Memorandum of Understanding ("MOU") outlines the goals,  
5 objectives and guidelines for a general working relationship between BEDCO and DEDO.

6 Notwithstanding any other provisions of the Delaware Code to the contrary, DEDO may enter into long-term  
7 contractual arrangements with respect to the redevelopment, construction, and operation of the Blades Marina  
8 Park. The contractual agreement will include a lease of said Blades Marina Park property and will be based upon  
9 the amount of One Dollar per year (\$1). The agreement will include an annual review board consisting of four  
10 legislative representatives to be appointed by the Co-Chairs of the Joint Legislative Committee on the Capital  
11 Improvement Program, two DEDO representatives, and two BEDCO representatives. Based upon the Review  
12 Board decision, if the goals, objectives and guidelines outlined by the MOU are not met, any remaining  
13 appropriations which are unencumbered shall be subject to reversion and any contractual agreement with  
14 BEDCO will become null and void. Additionally, if substantial construction of the Blades Marina Project has not  
15 been initiated by July 1, 2000, any remaining appropriations which are unencumbered shall be subject to  
16 reversion.

17 All unencumbered funds appropriated to the Blades Marina Project shall be disbursed to the Blades  
18 Economic Development Corporation upon the signing of the Memorandum of Understanding to ensure  
19 completion of said project.

20  
21 Section 31. Amend §6603A, Title 29, Delaware Code, by deleting the word "40%" as it appears therein and  
22 inserting in lieu thereof the word "50%".

23  
24 Section 32. The Section 1 Addendum of this Act appropriates \$800,000 to the Delaware Economic  
25 Development Office for land acquisition associated with location of a Federal Job Corps site in the City of  
26 Wilmington. The expenditure of these funds shall be subject to approval by the Budget Director and the  
27 Controller General.

1        Section 33. The General Assembly hereby directs the Delaware Economic Development Office to forgive  
2 payment on any existing loans made from the Delaware Strategic Fund to the Riverfront Development  
3 Corporation.

4  
5        Section 34. The Section 1 Addendum of this Act appropriates \$750,000 to the Delaware Economic  
6 Development Office (10-03-03) for the Frawley Stadium. The Delaware Stadium Corporation and the  
7 Wilmington Blue Rocks, L. P. shall submit an annual financial audit to the Budget Director and Controller  
8 General prior to the allocation of these monies.

9  
10       Section 35. The Section 1 Addendum to this Act appropriates \$750,000 to the Delaware Economic  
11 Development Office for the Frawley Stadium. Of this amount, \$100,000 shall be used for construction of the  
12 Delaware Sports Hall of Fame Museum.

13  
14       Section 36. The Delaware Economic Development Office is authorized to enter into a public/private  
15 partnership to study the feasibility of constructing a replica of the DeBraak to be located in Lewes. The Delaware  
16 Economic Development Office may provide up to \$20,000 as a match for the study.

1 **DEPARTMENT OF STATE**

2 Section 37. Port of Wilmington. Notwithstanding the provisions of any other State law to the contrary, the  
3 Diamond State Port Corporation ("Corporation") may borrow on an interest-free basis, up to Three Million  
4 Dollars (\$3,000,000) as deemed necessary, from construction funds authorized in Section 23 of Volume 70,  
5 Chapter 210 of the Laws of Delaware to ensure coverage of short-term operating cash flow deficits which may  
6 be encountered by the Corporation.

7  
8 Section 38. North Wilmington Library. Funds authorized in the Section 1 Addendum of Volume 70, Chapter  
9 473, Laws of Delaware and in the Section 1 Addendum of Volume 69, Chapter 386, Laws of Delaware, shall be  
10 used to plan and construct a library within the first Senate District.

11  
12 Section 39. Dayett Mills. Funds remaining from those authorized in 70 Laws of Delaware, Chapter 473 for  
13 "Dayett Mills Remediation, Asbestos/UST" may be used for any rehabilitation, or professional services to study  
14 rehabilitation and restoration needs of the Dayett Mill building complex and associated grounds.

15  
16 Section 40. Veteran's Cemetery – New Castle County. Amend 70 Laws of Delaware, Chapter 473, Section  
17 43 by deleting said section in its entirety and substituting in lieu thereof the following: "Any funds remaining  
18 authorized for the vault expansion project at the Bear Veteran's Cemetery may be used for general  
19 enhancements to the cemetery to include an outside interment facility, expansion of the maintenance building,  
20 and expansion of the columbarium section."

21  
22 Section 41. The Section 1 Addendum to this Act appropriates \$1,000,000 to the Department of State for  
23 Minor Capital Improvements and Equipment. From this appropriation, the following amounts shall be allocated  
24 for the following purposes:

Historical Marker - St. Paul's United Methodist Church	\$ 2,000
Historical Marker - Todd's Chapel	\$ 2,000
Historical Marker - Thomas Ogle Grave	\$ 2,000
Dayett Mills	\$ 25,000

1 **DEPARTMENT OF FINANCE**

2 Section 42. Bond Proceeds Reimbursement. Unless not permitted by the Internal Revenue Code of 1986,  
3 as amended, whenever the General Assembly authorizes the issuance of the state's general obligation bonds or  
4 the Delaware Transportation Authority's revenue bonds to finance the costs of specific capital projects, it is the  
5 intent of the General Assembly that the interest on such bonds shall not be included in gross income for federal  
6 income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended, and the United  
7 States Treasury Regulations (the "Regulations") thereunder as they may be promulgated from time to time.  
8 Pursuant to the state's budget and financial policies, other than unexpected situations where surplus revenues  
9 render bond financing unnecessary or undesirable, no funds other than the proceeds of such bonds are or are  
10 reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the state to pay  
11 the costs of such specific capital projects. Pursuant to the Authority's budget and financial policies, it is  
12 expected that approximately 50 percent of the costs of its capital projects shall be funded on a long-term basis  
13 from the proceeds of such bonds. However, after the authorization of such bonds but prior to their issuance,  
14 non-bond funds from the state's General Fund or the Authority's Transportation Trust fund or other funds may  
15 be advanced on a temporary basis to pay a portion of the costs of such specific capital projects. In that event, it  
16 is expected that these non-bond funds will be reimbursed from the proceeds of such bonds when they are  
17 issued. This reimbursement may cause a portion of such bonds to become "reimbursement" bonds within the  
18 meaning of Section 1.150-2 of the Regulations. Under those Regulations, to preserve the exclusion of the  
19 interest on such bonds from gross income for federal income tax purposes, it may be necessary to make a  
20 declaration of official intent. The Secretary of Finance is hereby designated as the appropriate representative  
21 of the State and the Secretary of Transportation is hereby designated as the appropriate representative of the  
22 Authority, and each is authorized to declare official intent on behalf of the state or the Authority, as the case  
23 may be, within the meaning of Section 1.150-2 of the Regulations, whenever and to the extent that such  
24 declaration is required to preserve such tax treatment.

25  
26 Section 43. Amend Section 7407, Title 29, Delaware Code by deleting the number "10" as it appears  
27 therein and substituting in lieu thereof the number "5".

28  
29 Section 44. Amend Section 5091 (e) Title 29 Delaware Code by deleting the last sentence of said subsection  
30 and substitute in lieu thereof the following: "Upon the request of any issuer, the Governor or the Secretary of

1 Finance shall certify, based on notices of issuance and notices of reassignments filed with the Secretary of  
2 Finance pursuant to this section, whether or not:(i) volume cap in the required amount is available for the issuer  
3 in connection with the issuance of certain of its obligations; and (ii) there is a valid allocation of volume cap for  
4 such issue pursuant to Section 146 of the Internal Revenue Code of 1986."

5  
6 Section 45. Amend §2718, Title 29, Delaware Code by adding in the first sentence of (a) after "..any city,  
7 town or county in Delaware," the following: "or any public service authority created by these entities."

1 **DEPARTMENT OF ADMINISTRATIVE SERVICES**

2 Section 46. Construction Management. (a) Notwithstanding any other state law, the Department of  
3 Administrative Services ("Department") shall be responsible for the design and construction of all the projects  
4 listed under "Department of Administrative Services" in the Section 1 Addendum of this Act. For those projects  
5 that are solely for the purchase of equipment, including projects that are funded in any "MCI and Equipment"  
6 line, or any "MCI" line, the Department shall transfer the appropriate amount of funding necessary to purchase  
7 the equipment to the agency for which the equipment is being purchased. The appropriate amount of funding  
8 shall be determined and agreed to by the Department and the agency for which the equipment is being  
9 purchased by August 1, 1998. For those projects for which the appropriation is passed to an entity and for  
10 which the state is not a party to the construction contract, the Department shall provide technical assistance.

11 (b) Notwithstanding any other state law, there is hereby created an Appeals Board, to be composed of the  
12 Lieutenant Governor, the Budget Director, and the Controller General. The Appeals Board shall approve the  
13 use of all unencumbered monies after that project is deemed "substantially complete." A project shall be  
14 deemed "substantially complete" when the project is occupied by 75 percent of the planned tenants or when  
15 deemed completed by the Appeals Board. One year after a project is deemed "substantially complete," any  
16 unencumbered authorization balance shall revert. In no case shall this Section empower the Appeals Board to  
17 allow for the expenditure of funds for uses other than for the funds' authorized purpose(s). The Controller  
18 General shall notify the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program of  
19 any decisions of the Appeals Board.

20 (c) Use of Minor Capital Improvement and Equipment funds in order to ensure completion of a Major  
21 Capital Improvement project involving construction of a new facility is prohibited.

22 (d) The Department shall submit a quarterly status report to the Budget Director and Controller General on  
23 all incomplete projects.

24 (e) No project's budget should be increased beyond what is appropriated in any Bond and Capital  
25 Improvement Act, either with special funds or private funds, unless the use of those funds is approved by the  
26 appropriate cabinet secretary, the Budget Director, the Controller General and Co-Chairs of the Joint Legislative  
27 Committee on the Capital Improvement Program.  
28

1        Section 47. Dagsboro Readiness Center. With the exception of architectural design fees, none of the  
2 funds appropriated for the Dagsboro Readiness Center may be expended until the appropriate Federal match  
3 has been authorized.

4  
5        Section 48. Minor Capital Improvements and Equipment Supplement - Department of Administrative  
6 Services. Notwithstanding the provisions of any other State law to the contrary, not more than Two Hundred  
7 Thousand Dollars (\$200,000) may be expended to enter into contractual agreements for project representatives  
8 and associated administrative support to ensure adequate oversight of State construction projects. The  
9 Secretary of Administrative Services is directed to provide an itemized budget for this amount to the Controller  
10 General by August 1, 1998, and expenditure reports to the Controller General by December 1, 1998 and June 1,  
11 1999.

12  
13        Section 49. The Section 1 Addendum of this Act includes funding to renovate the old Justice of the Peace  
14 Courts 7/16 in Dover. It is the intent of the General Assembly that, upon relocation of the Justice of the Peace  
15 Courts to their new facility, the Department of Administrative Services shall refurbish this building for full use as  
16 a State office building.

17  
18        Section 50. New Castle County Court House. Funds received by the state from the sale of the property  
19 known as the Daniel Hermann Courthouse and associated parking lot shall be retained by the Department of  
20 Administrative Services and used for the construction of the New Castle County Courthouse. The sum of  
21 \$700,000 shall be paid from the proceeds of the sale of the parking lot to the Department of Transportation,  
22 Transportation Trust Fund.

23  
24        Section 51. The Department of Administrative Services, Facilities Management is hereby authorized to use  
25 funds identified in the Section 1 Addendum of Chapter 150, Volume 71, Laws of Delaware "Minor Capital  
26 Improvements & Equipment – Department of Administrative Services" for the completion of the construction of a  
27 building to house the Division of Facilities Management.

28  
29        Section 52. Notwithstanding any law or local governmental ordinance or resolution to the contrary, the  
30 Secretary of Administrative Services shall designate the name of any state-owned or state-operated courthouse

1 or other judicial building or facility in New Castle County purchased, constructed, or improved by funds  
2 appropriated pursuant to the Section 1 Addendum of this Act and shall have the sole authority to approve or  
3 disapprove the placement of any statues or memorials in or on the grounds of such courthouse or judicial  
4 building of facility.

5  
6 Section 53. The Section 1 Addendum to this Act appropriates \$1,173,600 to the Department of  
7 Administrative Services for MCI - Equipment Supplement. Of this amount, up to \$50,000 may be used for a  
8 Kent County Courthouse space evaluation.

9  
10 Section 54. The Section 1 Addendum of this Act appropriates \$92,000 to the Department of Administrative  
11 Services for Bridge House Demolition. The Department is also authorized to use any unexpended funds from  
12 the Section 1 Addendum, Chapter 150, Volume 71 Delaware Laws, "Department of Administrative Services -  
13 Asbestos Removal/Demolition - Bridge House" to complete said demolition.

1                   **DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES**

2           Section 55. New Castle County Detention Center. Funds authorized in the Section 1 Addendum for "New  
3 Castle County Detention Center" shall be used to reimburse the cost recovery accounts of the Department of  
4 Services for Children Youth and their Families for expenses incurred in Fiscal Year 1998 for the completion of  
5 the addition to the New Castle County Detention Center.

6  
7           Section 56. Secure Care Construction Planning The Section 1 Addendum of this Act contains an  
8 appropriation to the Department of Services for Children, Youth and Their Families of \$500,000 (Five Hundred  
9 Thousand Dollars) for Secure Care Construction Planning. These funds shall be used for the planning and  
10 design of an expansion of Secure Care capacity. The Department shall utilize the conclusions of the planning  
11 efforts begun in Fiscal Year 1998 in arriving at recommendations as to capacity needs, possible facility siting and  
12 facility design. The Department shall present preliminary recommendations to the Budget Director and Controller  
13 General by December 1, 1998. Final recommendations shall be presented to the Budget Director, Controller  
14 General, and Chairs of the Joint Legislative Committee on Capital Improvements by April 1, 1999.

15  
16           Section 57. The Secretary of Administrative Services is hereby authorized, on behalf of the State of  
17 Delaware, to acquire by agreement or in the exercise of the power of eminent domain, by condemnation in the  
18 manner prescribed in Chapter 61, Title 10, Delaware Code the 22 acres, more or less, constituting the real  
19 property of the Woods Haven Kruse Trust, being more specifically referred to as New Castle County Tax Parcel  
20 No. 06-059.01-001 and the precise metes and bounds of which are more particularly described by the deed  
21 between Woods Haven School for Girls and The Youth Services Commission of Delaware, dated June 4, 1959,  
22 and recorded at deed record 0-64, page 534.

1 **DEPARTMENT OF CORRECTION**

2 Section 58. Correctional Facilities. (a) The Section 1 Addendum of this Act provides funding in order to  
3 program, plan, site and construct an appropriate number of cells to ensure adequate secure capacity for pre-trial  
4 and adjudicated adults. The term adult shall also encompass those juveniles who have been committed  
5 through Superior Court and who shall be so treated as part of the adult population through the Department of  
6 Correction classification system. Of the funds authorized, the Secretary of the Department of Administrative  
7 Services, as provided through construction management services, shall consult with the Commissioner of  
8 Corrections to ensure expedient programming, planning and construction of authorized correctional facilities.  
9 None of the funds authorized herein or in prior fiscal years are intended to supplant federal funds.

10 (b) Use of any federal grant funds awarded and approved by the Delaware State Clearinghouse Committee  
11 for the purpose of constructing correctional facilities shall have the technical oversight of the Secretary of  
12 Administrative Services as defined in the appropriate Section of this Act pertaining to management of the  
13 construction to ensure proper use and timely completion of all such construction projects authorized herein.  
14

15 Section 59. Of the funds appropriated in the Section 1 Addendum for "MCI/Equipment Supplement -  
16 Correction", up to \$165,000 shall be used for equipment necessary for the enhanced control of vehicle and  
17 pedestrian gates for the DCC Central Tower.  
18

19 Section 60. Violation of Probation Centers. The Section 1 Addendum of this Act appropriates Fifteen  
20 Million Dollars (\$15,000,000) to the Department of Administrative Services, Department of Correction Projects  
21 for construction of Violation of Probation Centers. It is the intent of the General Assembly that one each of  
22 these centers be located at the Sussex Correctional Institutions, the Delaware Correctional Center and the  
23 Multi-Purpose Criminal Justice Facility. As the aforementioned is to be constructed on state land already  
24 dedicated to correctional use, the requirements of §6590 and §6591, Title 11, Delaware Code, are not  
25 applicable and no action may be brought or maintained under §6952 Title 11, Delaware Code.  
26

27 Section 61. The Section 1 Addendum to this Act appropriates \$719,000 to the Department of Correction for  
28 Body Armor for correctional officers. The specifications of said body armor shall be submitted to the Budget  
29 Director for approval prior to the expenditure of these funds.



1                   **DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

2           Section 62. Beach Preservation. The General Assembly hereby authorizes One Million Dollars  
3 (\$1,000,000) to the Department of Natural Resources and Environmental Control (Department) in the Section 1  
4 Addendum of this Act to renourish and preserve the state's beaches. The Department may not encumber the  
5 funds appropriated herein for privately-owned ocean beaches. The Department may not encumber the funds  
6 appropriated herein for publicly accessible municipal ocean beaches until at least an equal amount of non-state  
7 funds are available for such projects. The funds provided for beach preservation as defined in Chapter 61 of  
8 Title 30 of the Delaware Code can be used for local match and if so designated, shall be reimbursed by the  
9 Department on an equal basis to each such county or town for which a beach preservation project has been  
10 accomplished. The availability of the aforementioned non-state matching funds must be approved by the  
11 Budget Director and the Secretary of the Department.

12  
13           Section 63. Conservation Cost-Sharing Program. The Section 1 Addendum to this Act appropriates  
14 \$1,200,000 to the Department of Natural Resources and Environmental Control for the Conservation Cost-  
15 Sharing Program. This appropriation shall be allocated as follows:

- 16           1. \$800,000 for the Soil and Water Conservation Program. The Department shall spend one-third of such  
17 funds for use in each County.  
18           2. \$200,000 for Inland Bays  
19           3. \$200,000 for Manure Sheds and/or Poultry Composters  
20

21           Section 64. Except for land acquired by approval of the Open Space Council or approved through a Bond  
22 and Capital Improvements Act, land shall not be purchased by the Department of Natural Resources and  
23 Environmental Control without prior approval of the Co-Chairs of the Joint Legislative Committee on the Capital  
24 Improvement Program provided, however, that the department is not prohibited from conducting studies,  
25 surveys or other contractual arrangements that would normally precede land acquisition procedures.  
26

27           Section 65. Indian River Inlet Marina. Notwithstanding the provisions of any other State law to the  
28 contrary, Department of Natural Resources and Environmental Control may enter into long-term contractual  
29 arrangements with respect to development, construction and/or operation of the facilities and grounds  
30 associated with the Indian River Inlet Marina at Delaware Seashore State Park. Before entering into said

1 contractual arrangements, the Secretary of Department of Natural Resources and Environmental Control shall  
2 submit a proposal, together with associated State funds required, if any, to be approved by the Budget Director,  
3 the Controller General and the Co-Chairs of the Joint Legislative Committee on the Capital Improvement  
4 Program.

5 During Fiscal Year 1998, the Department issued a Request for Proposal soliciting proposals concerning  
6 possible contractual arrangements as outlined in this Section. The Secretary of the Department shall submit a  
7 report to the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program summarizing the  
8 results of this process and, based on these results, shall provide a recommendation as to the future operations of  
9 the Marina. No more than \$250,000 of the \$1,250,000 appropriation for Park Rehabilitation included in the  
10 Section 1 Addendum to this Act shall be expended without the approval of the Co-Chairs of the Joint Legislative  
11 Committee on Capital Improvement Program that satisfactory progress is being made regarding the future  
12 operations of the Marina.

13  
14 Section 66. Of the interest monies generated on the principal deposited in the Land and Water  
15 Conservation Trust Fund before 1995, no more than Thirty Thousand Dollars (\$30,000) may be spent for the  
16 combined administrative costs of the Open Space Council and the Council on Greenways and Trails.

17  
18 Section 67. The Federal Environmental Protection Agency has been sued by certain environmental  
19 organizations for its failure to implement the Federal Clean Water Act in Delaware. The resolution of that  
20 litigation may have a substantial impact on the State of Delaware. The Department of Natural Resources and  
21 Environmental Control and the EPA may need to redirect available staff and grant resources to implement any  
22 resolution to this litigation, within the confines allowed by law. The General Assembly urges the EPA to provide  
23 additional funding and also exercise flexibility within the confines allowed by law in EPA's oversight of DNREC  
24 grant related activities to accommodate necessary shifts in work priorities to accomplish the tasks necessary to  
25 resolve the litigation. In particular, in order for Delaware to establish total maximum daily loads (TMDLs)  
26 according to the schedule under discussion in the litigation Delaware will require significant additional funds.  
27 Given the Clean Water Act is a Federal mandate, EPA is urged to use its best efforts to provide Delaware with  
28 additional funds to meet the resource needs of establishing TMDLs according to the schedule. EPA recognizes  
29 that Delaware may not be able to establish TMDLs according to the schedule without provision of additional

funds. If, because of insufficient resources, Delaware is unable to establish TMDLs according to the schedule set forth in Attachment B of the Agreement, then EPA may have to establish those TMDLs itself.

Section 68. The Section 1 Addendum to this Act appropriates \$1,000,000 to the Department of Natural Resources and Environmental Control for Indian River Inlet Marina for critical repairs. A portion of this appropriation shall be used to address issues related to handicapped access within the Park, including, but not limited to, additional opportunities for fishing.

Section 69. Notwithstanding the provisions of any other applicable State law to the contrary, the Department of Natural Resources and Environmental Control may transfer title to the Smith Estate property in Hockessin, Parcel #08012.00041, to New Castle County upon completion and approval of a Delaware Land and Water conservation Trust Fund Project Agreement. Funds appropriated per the provisions of Section 49, of Volume 71, Chapter 150, Laws of Delaware, for the Smith property may be used by the Department to reimburse costs associated with the acquisition of the property.

Further, it is the intent of the General Assembly that One Hundred Thousand Dollars (\$100,000) be expended from the FY 1998 appropriation, Open Space Program (Morris Farm, Smith Estate) in the Bond and Capital Improvements Act to assist in the acquisition of the property currently owned by the University of Delaware and known as the "Morris Farm". Any funds remaining may be used for the rehabilitation and maintenance of the house and out buildings of said property.

Section 70. For the fiscal year ending June 30, 1998, any sum in the Resource, Conservation and Development 1995 appropriation (40-07-02-01-81) and 1997 appropriation (40-07-02-08-01) shall remain encumbered until June 30, 1999.

Section 71. The Section 1 Addendum to this Act appropriates \$1,250,000 to the Department of Natural Resources and Environmental Control for Park Rehabilitation. From this appropriation, the following amounts shall be allocated for the following purposes:

Schaen Cider Mill - reconstruction	\$75,000
Cape Henlopen Pier - overflow parking lights	\$80,000
Towers Road Bathhouse - ventilation	\$32,000

1  
2       Section 72. The Section 1 Addendum to this Act appropriates \$300,000 to the Department of Natural  
3 Resources and Environmental Control for the Healthways Site. A portion of this appropriation shall be deposited  
4 in the Hazardous Substances Cleanup Act Fund. This amount represents the appraised value of the former  
5 Healthways Company, Inc. facility in Odessa. Under the terms of a Consent Agreement between the Department  
6 and the Healthways Company, the Department is authorized to direct the transfer of the property upon  
7 completion of cleanup. The proceeds from the transfer of the property are to be deposited in the HSCA Fund as  
8 partial cost recovery for funds spent by the Department for cleanup. The Department shall direct the transfer of  
9 the property upon completion of cleanup to the Town of Odessa for use as a natural area or roadside park. This  
10 transfer is contingent upon final approval of Odessa Town Council after proper Public Hearing.

11       Any remaining appropriation shall be used by the Department to erect a memorial marker in memory of the  
12 late Representative Oakley M. Banning and to cover the cost of demolition and proper disposal of  
13 uncontaminated structures which are located on the Healthways Site.  
14

15       Section 73. The Section 1 Addendum of this Act appropriates \$300,000 to the Department of Natural  
16 Resources and Environmental Control for Wilmington Parks Rehabilitation. Of this amount, \$40,000 shall be  
17 allocated to the Brandywine Zoo; \$40,000 shall be allocated to restore the park pavilion on Monkey Hill, and up  
18 to \$50,000 shall be used for upgrades to the running track at Baynard Stadium. No monies herein appropriated  
19 shall be used to construct a central park office.  
20

21       Section 74. Open Space Program (Smith/Lewes). The General Assembly finds that the preservation of the  
22 Smith property in Lewes is in the State's best interest. It is further the intent of the General Assembly to  
23 encourage the Open Space Council to review and make recommendations on the merits of the potential  
24 acquisition of the Smith property.  
25

26       Section 75. The Department of Natural Resources and Environmental Control, Division of Parks and  
27 Recreation, shall begin construction of a bikeway in Cape Henlopen State Park during Fiscal 1999. No more  
28 than \$250,000 of the \$1,250,000 appropriation for Park Rehabilitation included in the Section 1 Addendum to this

1 Act shall be expended without the approval of the Co-Chairs of the Joint Legislative Committee on Capital  
2 Improvement Program that satisfactory progress is being made on the construction of the bikeway.

3  
4 Section 76. All applicable state laws to the contrary, the Division of Parks and Recreation may, with the  
5 approval of the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program, enter into  
6 long-term property leases at White Clay Creek State Park with private non-profit institutions to construct facilities  
7 and/or undertake programming and educational activities that, in the judgment of the Division, are consistent with  
8 its public mission.

**DEPARTMENT OF PUBLIC SAFETY**

Section 77. The Section 1 Addendum to this Act appropriates \$700,000 to the Department of Public Safety for Minor Capital Improvements & Equipment . Of this amount, \$50,000 shall be used to purchase equipment for the Special Operations Response Team (SORT) and up to \$50,000 shall be used for the State Bureau of Identification for a space planning/feasibility study.

1 **DEPARTMENT OF TRANSPORTATION**

2 Section 78. Transportation Trust Fund Authorizations. (a) There is hereby appropriated One Hundred Thirty-  
3 Four Million, One Hundred and Eighty-Four Thousand Dollars (\$134,184,000) from the Transportation Trust Fund  
4 for transportation programs as set forth in the Section 1 Addendum to the Act.

5 (b) As projects and programs are complete within the following "old" program categories made available by  
6 previous act, and as unexpended balances therein are determined to be in excess of those program needs, as  
7 identified by the department, the Department of Transportation is authorized to transfer such balances to "new"  
8 program categories in such amounts and to such new programs as deemed appropriate by the department.

9 "Old Program Categories"

10 Advanced Planning (60/00)

11 Advanced R/W & Corridor Preservation (59/00)

12 Rehabilitation & Reconstruction (64/00)

13 Pave & Rehabilitation (64/00)

14 Bridge Placement & Rehabilitation (65/00)

15 Safety & Intersection Improvements (63/00)

16 Traffic Control Devices (61/00)

17 Dirt & Surface Treatment Roads (62/00)

18 Public Transit Improvements (73/00)

19 Corridor & Non-Corridor Improvements (66/00)

20 "New Program Categories"

21 Program Development (74/00)

22 System Preservation (75/00)

23 System Management (76/00)

24 System Expansion (77/00)

25 (c) To deauthorize Suburban Street Fund balances and reauthorize such balances in accordance with the  
26 Section 1 Addendum of this Act:

1

Deauthorize

Amount

Suburban Street Program (55-05-00-56-00)

\$1,550,000

Reauthorize

Suburban Street Program (55-05-00-56-00)

\$1,550,000

2

3

Section 79. Department of Transportation Accounts. (a) Any funds appropriated from any source to the

4

Department of Transportation shall be accounted for by program category as specified in the Section 1

5

Addendum to this Act. Amounts indicated for individual projects in the "Supplemental Information for

6

Transportation Projects" are the Department's best estimates of cost, but may vary depending on bid results and

7

project designs. The descriptions and limits are general in nature and are to be used only for project

8

identification purposes. It is the intent of the General Assembly that the Department of Transportation make all

9

reasonable efforts to ensure the timely completion of projects subject to the limitation of the total funds available

10

in each program.

11

(b) The Department is directed to continue inspecting the condition of bridges and pavements in the State of

12

Delaware and to use the System Preservation Program funds made available by this Act and the Bridge

13

Program, the Rehabilitation and Reconstruction, and the Pave and Rehabilitation Program funds made available

14

by previous acts to ensure the bridge repairs and replacements and pavement resurfacings and rehabilitations

15

are carried out in an expeditious manner based on the Department's priority and management systems.

16

(c) It is the intent of the General Assembly that the Co-Chairs of the Joint Legislative Committee on the

17

Capital Improvement Program shall be delegated the responsibility of approving modifications to the list of

18

paving and rehabilitation projects in the "System Preservation" portion of the "Supplemental Information for

19

Transportation Projects" when the Department of Transportation needs such modifications. These changes may

20

be made subject to the Co-Chair's approval, when: (a) the Department has completed or determined that it has

21

sufficient funds on hand to complete projects in the program category, or (b) when projects so listed cannot be

22

constructed in the construction season covered by this Act because of conflicting public works projects in

23

progress or scheduled, or for other compelling reasons, and (c) funds appropriated to the System Preservation

24

program category are available for use on additional or other projects fitting within that category. In modifying

25

the list, the Department must substitute the next suitable paving and rehabilitation project(s) from the most

1 recently approved Department of Transportation Capital Improvement Program or based on the Department's  
2 System Preservation priority and management systems. A copy of the changes should be forwarded to the  
3 Budget Director and Controller General.

4 (d) Any funds appropriated from the "Suburban Street Program" (56/00) of the "Supplemental Information  
5 For Transportation Projects" attached hereto may be designated for Greenways having a transportation  
6 component as long as those Greenways will be dedicated to public use. Legislators may designate monies to be  
7 appropriated into a general pooled account to be used state-wide, or may reserve monies for Greenways projects  
8 to be designated at a later time, or may designate specific sums of monies to specific Greenways projects. For  
9 the purposes of this Section, a project shall be deemed to have a "transportation component" whenever it  
10 involves walkways, pathways, bikeways, trails or other routes for the movement of people or goods. Project  
11 estimates shall be prepared by the Department of Natural Resources and Environmental Control (DNREC) and  
12 processed through the Department of Transportation's (DOT) Suburban Street Program procedure for inclusion in  
13 the Capital Improvement Act by the General Assembly. Funds appropriated through this Act will be funded from  
14 the Transportation Trust Fund and transferred to DNREC by DOT. DNREC will be responsible for the design,  
15 rights-of-way purchasing, construction and maintenance of such Greenways and establishing a process similar to  
16 DOT's process for administering the Suburban Street Program. Capital projects for new bulkheading which are to  
17 be used for greenways and walkways shall be considered an eligible use of Suburban Street funds.

18 (e) The Department of Transportation is hereby authorized to explore and/or construct feasible alternatives  
19 to traffic signals, including, but not limited to, geometric design changes to intersections or crossovers, in the  
20 vicinity of those locations where traffic signals may currently exist or otherwise be considered as warranted.

21  
22 Section 80. The State Police shall have the primary authority to enforce traffic laws on limited access  
23 highways within municipalities in the State of Delaware unless the State Police have, by specific signed  
24 agreement, authorized another jurisdiction to enforce traffic laws on a limited access highway.

25  
26 Section 81. The Department of Transportation is directed to meet with the community of Cannonshire and to  
27 provide appropriate noise mitigation and community screening as part of the SR 896 project.

28  
29 Section 82. Clear the Road Policy for Churchman's Road/SR 7 Project. Notwithstanding the provisions of  
30 Section 4206 of Title 21 of the Delaware Code, parked or disabled vehicles may be removed from travel lanes

1 impacted by the Churchman's Crossing Capacity Improvements Projects (State Project No. 91-101-04, Fed. Proj.  
2 No. STP-N339(1), and State Proj. No. 96-074-02, Fed. Proj. No. IM-N056(8)), under the following conditions:

- 3 1. This section shall apply only to travel lanes within the limits of the construction area as illustrated on  
4 the Department-approved Maintenance of Traffic plans for these projects, and extending one (1) mile  
5 in all directions from those limits of construction.
- 6 2. Prior to implementing this section on a road meeting the requirements of subsection (1) above, the  
7 Department of Transportation shall place signs along the road advising motorists of the Clear the  
8 Road Policy, and instructing motorists to move disabled vehicles which can be moved under their own  
9 power from the travel lanes to an adjacent area.
- 10 3. If the parked or disabled vehicle cannot be moved under their own power to a location off the travel  
11 lanes, the Department of Transportation shall have the authority to cause the vehicle to be moved to  
12 an adjacent area, either with its own force or pursuant to a contract for this purpose.
- 13 4. If the vehicle is parked or disabled and there is (a) a fatality, or (b) personal injury, or (c) in cases  
14 involving hazardous material loads, whether authorized or unauthorized, and movement would cause  
15 environmental risk, the vehicle shall not be moved until directed by the police authority with  
16 jurisdiction over the scene.

17  
18 Section 83. The Department of Transportation is authorized to transfer \$1,200,000 from Engineering &  
19 Contingencies (55-05-00-57-00) to System Expansion (55-05-00-77-00) for the State Infrastructure Bank  
20 Account.

21  
22 Section 84. Authorized but unspent funds exist in the Department of Transportation's System Management  
23 Program Account (55-05-00-76-00) derived from Section 1 Addendum to Volume 69, Laws of Delaware , Chapter  
24 386 previously directed for expenditure in Section 56, thereof, for the Small Retail Gasoline Station Assistance  
25 Program. It is the intent of the General Assembly that from this source eight hundred and eighty thousand  
26 (\$880,000) shall be reprogrammed to the System Management Program Account for the purposes outlined in the  
27 Section 1 of Addendum of this Act.

1        Section 85. Amend Section 76, Chapter 150, Volume 71 of the Laws of Delaware by deleting the year  
2        “1998” appearing therein and inserting in lieu thereof the year “1999”.

3  
4        Section 86. Per Section 72, Chapter 473, Volume 70, Laws of Delaware, the working group appointed to  
5        assess the Department of Transportation’s proposed use of its lands at Routes 40 and 896 has met and  
6        discussed the options available for this site. The Department will implement the following recommendations:

- 7            1. The property shall be used in a manner which will enhance the quality of life of local residents, such  
8            as recreation, public safety, transportation and public education.
- 9            2. Commitments for portions of the property have been made to the following organizations: Christina  
10           School District and YMCA of Delaware.
- 11           3. An immediate set aside of property for a potential future crossover at the Routes 40 and 896  
12           intersection as per Section 66(e) of Chapter 473, Volume 70, Laws of Delaware.
- 13           4. Consideration of the apportionment of property to the Department of Public Safety for a motor vehicle  
14           inspection facility and/or a State Police troop, the New Castle County Department of Parks and  
15           Recreation, New Castle County Libraries, the Delaware Army National Guard, Christiana Fire  
16           Company, the Department of Transportation (park-n-ride lots, transportation center, and/or a  
17           maintenance facility), and/or the Delaware Judiciary for the purpose of locating facilities at the site.  
18           The Department of Transportation shall be appropriately compensated for non-transportation use of  
19           these funds at the rate of \$18,000 per acre.
- 20           5. No sale or commitment of the property shall be made during FY 1999 without the concurrence of the  
21           two Chairs of the Joint Legislative Committee on the Capital Improvement Program.
- 22           6. The committee referenced above as currently constituted shall continue and report back to the Joint  
23           Legislative Committee on the Capital Improvement Program by June 30, 1999, including  
24           infrastructure needs.
- 25           7. Notwithstanding the provisions of Section 137, Title 17, Delaware Code, the sale or conveyance of  
26           Department of Transportation owned lands at Routes 40 and 896 shall be governed by these  
27           provisions.
- 28           8. Prior to the transfer of a portion of such property to the Christina School District, the sum of  
29           \$576,000 shall be paid by the District to the Department of Transportation for the acreage, and such

1 funds shall be immediately deposited in the Transportation Trust Fund, created in Title 2, Delaware  
2 Code. Prior to the transfer of a portion of such property to the Department of Public Safety for its  
3 facilities, the sum of \$18,000 per acre shall be paid to the Department of Transportation for the  
4 acreage, and such funds shall be immediately deposited in the Transportation Trust Fund, created in  
5 Title 2, Delaware Code.

6  
7 Section 87. Amend Section 131(i), Title 17, Delaware Code, by deleting the phrase “residential property”  
8 appearing in the second and third sentences thereof, and inserting in lieu thereof the following: “residential  
9 subdivisions of five (5) lots or more”

10  
11 Section 88. Amend Section 131(i), Title 17, Delaware Code, by inserting the following immediately before  
12 the last sentence thereof: “For review of residential subdivisions of four (4) lots or less, in lieu of the staged fees  
13 set forth above, there shall be a single fee of \$100. If all or a portion of the property subject to this fee is re-  
14 subdivided within 10 years of the payment of this fee, that subdivision shall be treated for fee purposes as if  
15 planned for five (5) lots or more.”

16  
17 Section 89. The Section 1 Addendum of this Act authorization for Program Development (55-05-00-74-00)  
18 shall include a modified alternative analysis study for the Wilmington Trolley. Such study shall include an  
19 evaluation of the most cost effective project and an assessment of the project in terms of aesthetic impacts.”

20  
21 Section 90. Section 1212(x) of H.R. 2400, the Transportation Equity Act for the 21<sup>st</sup> Century (“TEA-21”),  
22 enacted into law on June 9, 1998, authorized and directed the Secretary of the Army to transfer all right, title, and  
23 interest of the United States in the old St. Georges Bridge (“Bridge”) to the State of Delaware, if the transfer is  
24 needed to facilitate the subsequent re-transfer of the Bridge “to a private entity for the purpose of demonstrating  
25 the effectiveness and efficiency of the use of large-scale composites technology for bridge rehabilitation.” That  
26 same section further directed the Secretary of the Army to provide \$10 million to the State for use in  
27 rehabilitating the Bridge, if the transfer is completed within 180 days after the enactment of H.R. 2400.  
28 Therefore, it is the intent of the General Assembly that the Secretary of the Department of Transportation is

1 hereby authorized to accept the \$10 million from the United States in accordance with the terms of H.R. 2400.  
2 Furthermore, the General Assembly directs that the use of these funds shall be subject to the following terms and  
3 conditions.

4 (a) These funds shall be transferred to the said private entity as part of the re-transfer agreement, under  
5 the terms and conditions entered into between the State and the said private entity; and

6 (b) In no event shall the State assume any ownership responsibility for or be considered as an owner of  
7 the Bridge.”  
8

9 Section 91. The Delaware Transit Corporation (“DTC”) administers a program to provide assistance to  
10 certain qualifying agencies for the transportation of the elderly, persons with disabilities, and thereafter for others  
11 needing transportation services, under the provisions of 49 U.S.C. Section 5310 (“5310 Program”). The 5310  
12 Program requires the qualifying agencies to agree to comply with the program’s rules and regulations, and the  
13 agencies compete for funding in an annual certification/approval process. The normal match of Federal funds to  
14 other funds is on an 80/20 funds basis. For Fiscal Year 1999, the following provisions shall apply in the DTC’s  
15 administration of the 5310 Program.

16 (a) The DTC is authorized to expend up to \$667,000 from a combination of Federal funds and System  
17 Preservation funds (55-05-00-75-00) appropriated in this Act.

18 (b) In ranking applicants for the 5310 Program, enhanced scoring of the applications will be given first to  
19 those qualifying applicants emphasizing the replacement of their existing fleet, and second to those  
20 qualifying applicants who provide a contributing share commitment larger than the normal non-  
21 Federal ratio, thus expanding the leverage provided by the Federal funds available for the 5310  
22 Program. These additional funds shall not be used as a replacement for System Preservation funds  
23 or Federal funds for this program, but shall be applied to this program in addition to the amount  
24 authorized in subsection (a) of this section.

25 (c) In administering the 5310 Program, the DTC shall take steps to assure that the qualifying applicant  
26 agencies use these vehicles first for program related needs, then to meet the transportation needs of  
27 elderly persons and persons with disabilities who do not participate in the agencies’ programs, and  
28 finally for other local transportation needs, as required by Federal regulations. In keeping these  
29 commitments and providing DTC-originated trips beyond the qualifying agencies’ program needs,

1 those agencies receiving funds from the Kent/Sussex reimbursable line (55-06-01-85-83) Kent and  
2 Sussex Transportation shall be reimbursed at a rate of twice the applicable DTC fare. All other  
3 agencies providing such DTC-originated trips shall be reimbursed at a rate of three times the  
4 applicable DTC fare. Agencies providing such trips will be responsible for collection of and  
5 accounting for fares in accordance with DTC guidelines. Receipt of such fares and reimbursement to  
6 the qualifying agencies shall occur on a monthly basis between DTC and the agencies."

7  
8 Section 92. As the Department of Transportation develops specifications for the repaving of I-95 from Route  
9 202 to the Pennsylvania border, the Department is urged to consider using the special bidding procedure as  
10 stated in the Department's specification manual as #763564 and will further consider the use of rubblizing and  
11 compacting the existing concrete pavement on I-95.

## 1 AGRICULTURE

2 Section 93. Agricultural Lands Preservation. Amend §901, Title 3, Delaware Code, by providing a new  
3 sentence at the end of the section to read as follows:

4 “ It shall be a priority to create agricultural preservation districts and purchase development rights in those  
5 areas located near and adjacent to designated growth zones.”  
6

7 Section 94. Amend §902, Title 3, Delaware Code, by providing a new definition for the term growth zone to  
8 read as follows:

9 “(14) “Growth Zone” means the areas designated in the statewide agricultural lands preservation strategy as  
10 adopted after public hearing in accordance with §904(a)(3) of this title.”  
11

12 Section 95. Amend §904(a)(3), Title 3, Delaware Code, by deleting the semicolon at the end of paragraph  
13 (3) and replacing the semicolon with a comma, and by adding the following:

14 “and by specifically identifying the growth zone,”  
15

16 Section 96. Amend §915, Title 3, Delaware Code, by adding a new sentence at the end of the section to  
17 read as follows:

18 “The Foundation shall be entitled to establish separate methods or incentives to facilitate the acquisition of  
19 agricultural lands preservation easements in designated areas which are near or adjacent to growth zones,  
20 or border in part the growth zones.”  
21

22 Section 97. Amend §914(c), Title 3, of the Delaware Code, by adding a new sentence at the end of  
23 subsection (c) to read as follows:

24 "Under any system adopted for consideration of applications submitted for the conveyance of agricultural  
25 lands preservation easements, the Foundation shall establish by regulation after public hearing means of  
26 creating a priority for acquisition of agricultural lands preservation easements in designated areas which  
27 are near or adjacent to growth zones, or border in part the growth zones."  
28

1        Section 98. The provisions of Sections 93 through 97 of this Act shall not apply to acquisitions of  
2        agricultural lands preservation easements which have been funded and which are in progress as of the date of  
3        enactment.  
4

**STATE FIRE COMMISSION**

Section 99. State Fire School/Hydraulic Rescue Tools Replacement: It is the intent of the General Assembly that the funds authorized in the Section 1 Addendum of this Act be used to reimburse the following volunteer fire companies: Christiana, Delaware City, Elsmere, Mill Creek, Townsend, Harrington, Hartly, Delmar, Ellendale, Georgetown, Seaford, Bridgeville and Bethany Beach. Upon submitting the receipts of sale, each company will be reimbursed up to Seven Thousand Five Hundred Dollars (\$7,500) by the State Fire Commission - State Fire School (75-02-01).

Section 100. The Section 1 Addendum to this Act appropriates \$135,000 to the Fire Prevention Commission for the purchase of twelve thermal imaging cameras. Of these cameras, one camera each will be assigned to the Fire Training Center of each county. The remaining nine cameras will allocated, 3 to each county, to local fire companies on a lottery basis with a local fire company match requirement of 50%. The Commission shall establish application guidelines and procedures for the allocation of these cameras.

Section 101. The State Fire School and the Office of Telecommunications Management are hereby directed to conduct an audit of volunteer fire radio equipment. Said audit shall determine the number of end user radio units within each company. The Delaware Volunteer Fire Association is hereby requested to assist the Fire School and the Office of Telecommunications Management in this endeavor. The results of this audit shall be reported to the Budget Director and Controller General by March 1, 1999.

**HIGHER EDUCATION**

Section 102. Section 1 Addendum of this Act contains an appropriation to University of Delaware, MCI/Equipment Supplement. Of this amount, Five Hundred Thousand Dollars (\$500,000) shall be utilized for furnishings, equipment and minor facility modifications in support of the Information Technology Initiative.

Section 103. Section 1 Addendum of this Act contains an appropriation of Three Million Three Hundred Ninety Thousand Dollars (\$3,390,000) to Delaware State University, MCI/Equipment. Of this amount, up to One Hundred Thirty Thousand Dollars (\$130,000) may be used for updating of the library automation system software.

Section 104. Section 1 Addendum of this Act contains an appropriation of One Hundred Fifty Five Thousand Dollars (\$155,000) to Delaware Technical Community College, MCI/Equipment Supplement. This appropriation may be utilized for the acquisition of computer hardware and software.

Section 105. Funds authorized in 68 Laws of Delaware, Chapter 405 for "Land Acquisition- Rt 18 & 113-Southern" and 69 Laws of Delaware, Chapter 77 for "Land Acquisition – Rt. 18/113 – Southern " may be used for the acquisition of property contiguous to the south side of the Owens Campus of Delaware Technical and Community College or for major capital improvements at the Owens Campus.

1 **DEPARTMENT OF EDUCATION**

2 Section 106. Appropriation for Architectural Barrier Removal. It is the intent of the General Assembly that  
3 the sum of One Hundred Sixty Thousand Dollars (\$160,000) appropriated in the Section 1 Addendum of this Act  
4 to the Department of Education be used for the State's sixty percent (60 percent) share of architectural barrier  
5 removal projects as defined in Section 7528 of Title 29 of the Delaware Code. Each qualifying school district  
6 having approved architectural barrier removal projects shall authorize its 40 percent share. No local school  
7 district may participate in the use of these funds without first providing its local share pursuant to the provisions  
8 of this Section and other pertinent provisions of Delaware law.

9  
10 Section 107. School Construction. Purchase orders and change orders for school construction projects  
11 which are coded to a different school construction project line within the applicable school district will be  
12 approved upon review and determination by the Department of Education and State Budget Office that full  
13 compliance of Section 2.4.3B(1) and (2) of the State of Delaware School Construction Manual has been met.  
14 All such purchase orders or change orders must reference the appropriate projects, lines of authorization and  
15 appropriate section of the School Construction Manual.

16  
17 Section 108. Public Education Enhanced Minor Capital Improvement Fund. (a) It is the intent of the  
18 General Assembly that the sum of Ten Million Dollars (\$10,000,000) as appropriated in the Section 1 Addendum  
19 of this Act to the Department of Education be used for minor capital improvements to school buildings. This  
20 amount shall be paid by the Department of Education to local districts in the following amounts:

<u>School District/Charter School</u>	<u>FY 1999</u>
Appoquinimink	\$369,974
Brandywine	1,013,420
Special	3,921
Christina	1,821,177
Special	38,851
Colonial	933,490
Special	9,980
New Castle County Vo-Tech	308,134
Red Clay	1,399,879
Special	13,010
Caesar Rodney	505,329
Special	14,079

Capital	562,714
Lake Forest	315,708
Milford	341,014
POLYTECH	97,573
Smyrna	298,510
Cape Henlopen	375,588
Special	12,653
Delmar	67,187
Indian River	652,267
Special	15,416
Laurel	182,938
Seaford	338,787
Sussex Vo-Tech	104,969
Woodbridge	156,027
East Side Charter	6,950
Wilmington Charter	35,287
Positive Outcomes	<u>5,168</u>
Total	<u><u>\$10,000,000</u></u>

(b) The funds allocated pursuant to this Section are intended to supplement the existing level of State and local expenditures in support of maintaining public school buildings in a condition which is both safe and appropriate for classroom learning. For the purposes of this Section, minor capital improvements shall mean, but shall not be limited to, capital expenditures for rebuilding or major repairs of roofs, floors, heating systems or facilities, painting, electrical systems or facilities and plumbing or water systems and facilities, asbestos abatement, the removal of architectural barriers to the handicapped and stand-alone storage facilities. These funds may also be applied to the preparation and securing of a public school district building that is being vacated but preserved for an unspecified period of time or for the return of such a building from a closed condition to use by a public school district. In order to qualify for these funds, each reorganized school district and charter school shall obligate appropriations from MCI funds for Fiscal Year 1998 and previous fiscal years before they may utilize funds described in this Section.

(c) Funds appropriated in this Section shall be subject to all existing rules for the definition of minor capital improvements with the exception that projects involving the rebuilding or major repairs of school building roofs shall not be subject to any maximum expenditure as may be defined by the rules. These funds may be used to

1 supplement existing or proposed major capital projects involving the rebuilding or major repair of school  
2 building roofs.

3 (d) The provisions of Section 7528(b) and (f), Title 29, Delaware Code to the contrary notwithstanding, the  
4 expenditure of funds appropriated under this Section shall not require a local contribution.

5 (e) Funds appropriated in this Section shall not be subject to reversion until June 30, 2001. In addition, no  
6 FY 1998 or prior year expenditure for minor capital improvements may be recoded to this appropriation.

7  
8 Section 109. North POLYTECH Adult Education Facility. POLYTECH School District shall provide  
9 appropriate access to allow Delaware Technical and Community College (DTCC) to begin renovation to said  
10 facility. DTCC shall ensure minimal disruption to any educational classes in progress during such renovation.

11  
12 Section 110. Amend 71 Laws of Delaware, Chapter 150, Section 14 by adding the following two lines at the  
13 end of said section:

"1994	95-29-00-6493	Architectural Barrier Removal
1995	95-29-00-6593	Architectural Barrier Removal"

14  
15 Section 111. The Section 1 Addendum to this Act appropriates \$400,000 to the New Castle County  
16 Vocational Technical School District for the planning of a new high school. Expenditure of these funds shall be  
17 contingent upon approval of the Co-Chairs of the Joint Legislative Committee on the Capital Improvement  
18 Program.

19  
20 Section 112. Amend Chapter 69, §6904(c), Title 29 of the Delaware Code by deleting all but the first  
21 sentence and replacing with "Such contracts shall be submitted to the Secretary of Education through the  
22 Department of Education Transportation Office for approval."

23  
24 Section 113. Amend Chapter 69, §6923(c)(2), Title 29 of the Delaware Code, by deleting "Public Instruction"  
25 and inserting "Education".

1        Section 114. Amend Chapter 73, §7304(d)(5), Title 29 of the Delaware Code, by deleting it in its entirety and  
2 replacing with “(5) Secretary of the Department of Education;”.

3  
4        Section 115. Amend Chapter 75, §7505, Title 29 of the Delaware Code, by deleting “State Board” and  
5 inserting “Department”.

6  
7        Section 116. Amend Chapter 75, §7507, Title 29 of the Delaware Code by deleting it in its entirety.

8  
9        Section 117. Amend Chapter 75, §7509, Title 29 of the Delaware Code, by deleting “State Board” each time  
10 that it appears therein and inserting in lieu thereof “Department”.

11  
12        Section 118. Amend Chapter 75, §7510(a), Title 29 of the Delaware Code by deleting “Whenever the State  
13 Board of Education shall make a determination of necessity for a school construction program within a school  
14 district, it shall certify that fact” and replace with “When the Secretary of Education has prepared the proposed  
15 annual major capital improvement program budget in consultation with the State Board of Education, the  
16 Secretary shall certify the necessity for same”.

17  
18        Section 119. Amend Chapter 75, §7511, Title 29 of the Delaware Code, by deleting “State Board” wherever  
19 it appears and inserting “Secretary”.

20  
21        Section 120. Amend Chapter 75, §7517, Title 29 of the Delaware Code, by deleting “State Board” and  
22 inserting “Department”.

23  
24        Section 121. Amend Chapter 75, §7518, Title 29 of the Delaware Code, by deleting “State Board” each time  
25 that it appears therein and inserting in lieu thereof “Department”.

26  
27        Section 122. Amend Chapter 75, §7519, Title 29 of the Delaware Code, by deleting “State Board” and  
28 inserting “Department”.

1  
2       Section 123. Amend Chapter 75, §7521, Title 29 of the Delaware Code, by changing the title from  
3 “Secretary of Board of Education” to “Employing school construction personnel” and deleting the first three  
4 sentences.

5  
6       Section 124. Amend Chapter 75, §7522, Title 29 of the Delaware Code, by deleting “, except the City of  
7 Wilmington,”.

8  
9       Section 125. Amend Chapter 75, §7524, Title 29 of the Delaware Code, by deleting it in its entirety.

10  
11       Section 126. Amend Chapter 75, §7525, Title 29 of the Delaware Code, by deleting subsection (a) in its  
12 entirety and replacing with “(a) Whenever land shall be required for the carrying out of school construction for  
13 any school district, the board of education of such school district is authorized to select and acquire such land  
14 upon the approval of the Department of Education or its designated representative(s).”; by deleting subsection  
15 (d) in its entirety and replace with “(d) Title to any lands acquired shall be a fee simple title and shall be vested in  
16 the board of education of the school district.”

17  
18       Section 127. Amend Chapter 75, §7526, Title 29 of the Delaware Code, by deleting “The portion of such  
19 total cost to be allocated for inspection services shall not exceed the following percentages of the total cost:

- |   |         |
|---|---------|
| (1) Improvements with total cost in excess of \$1,000,000 | 1 1/2%  |
| (2) Improvements with a total cost of \$1,000,000 or less | 1 3/4%  |
| (3) Reconstruction and renovation improvements            | 1 3/4%” |

20  
21       Section 128. The Section 1 Addendum of this act contains an appropriation of \$3,000,000 (Three Million  
22 Dollars) for the Sussex Vocational Technical School District (95-40-00) expansion. This appropriation is for the  
23 construction of an addition containing classrooms in order to eliminate the use of 17 trailers for currently used  
24 for instruction, window replacement and for upgrading library and parking facilities. This appropriation will also  
25 allow for the completion of critical repairs and renovations for the school.

1        Section 129. The Section 1 Addendum to this Act appropriates \$1,169,600 to the Department of Education  
2 for the Brandywine School District - Claymont elementary. An amount not to exceed \$779,000 shall be  
3 considered as the district local match for the Fiscal Year 1999 appropriation. The district shall provide supporting  
4 documentation to ensure expenditures are related to Claymont Elementary School construction. The Budget  
5 Director and the Controller General shall review for approval the supporting documentation before the district  
6 match can be used for the Fiscal Year 1999 appropriation.

7  
8        Section 130. Bond Verification. All bonds issued, or herein before or herein authorized to be issued, by the  
9 State are hereby determined to be within all debt and authorization limits of the State.

10  
11        Section 131. Inconsistency. Insofar as the provisions of this Act are inconsistent with the provisions of any  
12 general, special, or local laws, or parts thereof, the provisions of this Act shall be controlling.

13  
14        Section 132. Severability. If any section, part, phrase, or provision of this Act or the application thereof be  
15 held invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the  
16 section, part, phrase, provision, or application directly involved in the controversy in which such judgment shall  
17 have been rendered and shall not affect or impair the validity of the remainder of this Act or the application  
18 thereof.

19  
20        Section 133. Effective Date. This Act shall take effect in accordance with the provisions of state law.

#### SYNOPSIS

This Bill is the FY 1999 Bond and Capital Improvements Act.